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ORIGINAL

Decision No. 41514

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HOMER HELLER and ROY N. TAYLOR,)
partners, doing business as HOMER)
HELLER COMPANY, to sell, and HOMER) Application No. 29254
HELLER, an individual, to purchase)
an automotive passenger and limited)
express line operated between)
Escondido and Oceanside, California.)

O P I N I O N

In this application the Commission is requested to authorize Homer Heller to acquire sole ownership of the passenger stage operative rights owned by the partnership of Homer Heller and Roy N. Taylor acquired by them pursuant to the authority of the Commission's Decision No. 39249, as amended by Decision No. 39321 in Application No. 27361. This operative right authorized the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds each on passenger carrying vehicles between Escondido and Oceanside and intermediate points, subject to local restrictions.

According to an agreement attached to the application as Exhibit "A", applicant Heller will pay to applicant Taylor the sum of \$2,550 in cash, \$50 of which is said to represent the value of the operative right and the remainder the value of the interest of the seller in one 1947 Ford transit bus with seating capacity of 27 passengers.

According to the application there has been no cessation of the authorized operation since its establishment. There is no proposal to change the service or the rates presently in effect.

After full consideration the Commission finds that the public interest would not be adversely affected by approval of the transfer of the operative rights and properties as proposed, and that a public hearing is not necessary. Accordingly, the application will be granted. However, the action taken herein shall not be construed to be a finding of the value of the properties involved.

O R D E R

An application having been filed requesting authority to transfer operative rights and properties and the Commission now being fully informed in the premises and good cause appearing,

IT IS ORDERED:

(1) That on or after the effective date hereof and on or before July 1, 1948, Homer Heller and Roy N. Taylor, partners, may transfer to Homer Heller, and the latter may acquire from the former, the operative rights and properties referred to in the foregoing opinion, and thereafter conduct operations pursuant to said operative rights.

(2) That appropriate tariffs and time tables as required by General Orders Nos. 79, 80 and 93-A shall be filed in triplicate on or after the effective date hereof, to be made effective on not less than five days' notice to the Commission and the public.

(3) That within 30 days after the consummation of the transfer herein authorized, Homer Heller shall notify the Commission, in writing, of that fact, and shall within said period file with the Commission a true copy of any bill of sale or other

instrument of transfer which may have been executed to effect the transfer authorized.

The effective date of this order shall be 20 days from the date hereof.

Dated at San Francisco, California, this 27th day of April, 1948.

R. E. Dunning
Justin F. Gaeuen
Irving H. Howell
Harold P. Kils
Kenneth Potter
COMMISSIONERS.