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June 8, 1955

Refer to Dec. No. 51547 (June 7, 1955)  
rescinding Dec. No. 50478 - A. 35630.

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Decision No. 50478**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of LLOYD C. BOYES, dba )	
YELLOW CAB STAGE, to sell and )	
HENRY L. SCHOONOVER, to purchase a )	
passenger and express bus service )	Application No. 35630
operated between Colusa, California )	
and Williams, California. )	

OPINION AND ORDER

Applicant Lloyd C. Boyes requests authority to sell and Henry L. Schoonover requests authority to purchase the passenger stage service authorized by Decision No. 49324 dated November 10, 1953 in Application No. 34837 in addition to three pieces of operating equipment.

The operating authority involves the authority to transport passengers and freight between Colusa and Williams.

By an agreement entered into on July 16, 1954 the consideration to be paid is \$5,000 with a down payment of \$1,000 and the balance secured by a note calling for monthly payments of \$100 at 5 per cent per annum.

Applicant Schoonover indicates a net worth of \$6,300.

After consideration the Commission is of the opinion and finds that the transfer will not be adverse to the public interest. The Commission further finds that the execution of the note above-referred to is reasonably required for the proposed transfer. A public hearing does not appear to be necessary.

O R D E R

Application having been filed and the Commission informed in the premises,

IT IS ORDERED:

1. That after the effective date hereof and on or before November 1, 1954, Lloyd C. Boyes may sell and Henry L. Schoonover may purchase the equipment hereinabove referred to and the operative rights granted in Decision No. 49324 in Application No. 34837.

2. That Henry L. Schoonover, after the effective date hereof and on or before November 1, 1954, may issue a note in the principal amount of \$4,000 for the purpose of financing in part the purchase price of the operative rights and equipment herein authorized to be transferred.

3. That the action taken herein shall not be construed to be a finding of the value of the rights or property herein authorized to be transferred.

4. That within thirty days after the consummation of the transfer herein authorized, Henry L. Schoonover shall notify the Commission in writing of that fact, and within said period shall file with the Commission a true copy of any bill of sale or other instruments of transfer which may be executed to effect said transfer.

5. That after the effective date hereof and on or before November 1, 1954, and on not less than five days' notice to the Commission and to the public, applicant shall amend tariffs on file with the Commission naming rates, rules and regulations governing the common carrier operations here involved to show that Lloyd C. Boyes has withdrawn and Henry L. Schoonover has adopted as his own said rates, rules and regulations.

6. This order shall become effective when applicants have  
paid the minimum fee of \$25 as required by Section 1904 of the  
Public Utilities Code. ✓

Dated at San Francisco, California, this 3<sup>rd</sup>  
day of August, 1954.

Walter E. Patten  
President

Harriet Patten

Gene Roggins

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Commissioners

COPY

Decision No. 51547

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of LLOYD C. BOYES, dba )	
YELLOW CAB STAGE, to sell and HENRY L.)	
SCHOONOVER, to purchase a passenger )	Application No. 35630
and express bus service operated )	
between Colusa, California and )	
Williams, California. )	

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 50478 in the above-entitled proceeding the Commission authorized Lloyd C. Boyes to sell and Henry L. Schoonover to acquire a passenger stage operative right between Colusa and Williams created by Decision No. 49324. The order entered in said Decision No. 50478 was made effective upon the payment of the minimum fee of \$25 required by Section 1904 of the Public Utilities Act. Counsel for the two applicants was so notified of these facts. To date the fee has not been paid.

Correspondence with counsel develops the facts that Schoonover, the buyer, had taken over the operation without first receiving the authority of the Commission; that Schoonover stated that he would not pay the fee because of insufficient revenues from the operation; that Schoonover planned to discontinue the operation because of the loss of the mail contract; that Boyes, the seller, had disposed of all of his equipment, is incapable of resuming the operation and requests the Commission to revoke the operative right created by said Decision No. 49324. Therefore, and good cause appearing,

IT IS ORDERED:

(1) That Decision No. 50478, dated August 31, 1954, in Application No. 35630, is hereby rescinded.

(2) That the passenger stage operative right acquired by Lloyd C. Boyes pursuant to Decision No. 49324 in Application No. 34837 is hereby revoked and all tariffs and timetables on file with the Commission in the name of Lloyd C. Boyes and currently effective are hereby canceled.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of June, 1955.

PETER E. MITCHELL  
President  
JUSTUS F. CRAEMER  
RAY E. UNTEREINER  
MATTHEW J. DOOLEY  
Commissioners