

ORIGINALDecision No. 51308

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 HUBERT L. MAU and BESSIE FERN MAU,
 copartners doing business under the
 fictitious name of BAKERSFIELD-BARSTOW
 LINE, a common carrier, for an order
 authorizing the transfer of operating
 rights and properties to THOBURN S.
 HAWORTH, RUTH HEALY HAWORTH, BRYAN W.
 HAWORTH and MARGARET HAWORTH, copartners
 doing business under the fictitious
 name of ORANGE BELT STAGES, a common
 carrier.

Application No. 36725

McCutchen, Thomas, Matthew, Griffiths and Greene,
 by Gerald H. Trautman, for applicants.
Charles W. Overhouse, for the Commission Staff.

O P I N I O N

Hubert L. Mau and Bessie Fern Mau, copartners doing business as Bakersfield-Barstow Line, (hereinafter sometimes called Vendors) request authority to sell and Thoburn S. Haworth, Ruth Healy Haworth, Bryan W. Haworth and Margaret Haworth, copartners doing business as Orange Belt Stages (hereinafter sometimes called Vendees), request authority to purchase certain passenger stage operative rights between Bakersfield, Barstow and intermediate points as well as three buses and the inventory of materials and supplies for said buses.

A public hearing was held before Examiner Daly on April 5, 1955, at San Francisco and the matter was submitted. There was no protest to the application.

The operative rights referred to, which include authorization to transport shipments of express not to exceed 100 pounds,

were granted by Decision No. 47970 dated November 25, 1952, in Application No. 33733.

By the terms of a contract entered into on January 3, 1955, the Vendees agreed to pay a cash consideration of \$40,000. A value of \$24,000 was placed upon the operative rights.

The Vendees are presently conducting a passenger stage service between points within the San Joaquin Valley. They desire to consolidate their present operations with those to be acquired.

For the 12-month period ending December 31, 1954, the Vendors showed a net profit of \$19,531.16. For the 11-month period ending November 30, 1954, the Vendees showed a net profit of \$21,460.38.

In the past Bakersfield-Barstow Line has transported passengers of Transcontinental Bus System between points north and east of Barstow and points north and west of Bakersfield. A possible protest by Transcontinental Bus System was averted when Orange Belt System made the following assurance:

1. Orange Belt Stages intends to operate one through schedule each way daily between the points of Barstow and Paso Robles via Bakersfield and one through schedule each way daily between the points of Barstow and Porterville via Bakersfield. Such through schedules as may be operated by Orange Belt Stages between Barstow and Paso Robles or Porterville will be operated into and out of Transcontinental depots at Barstow and Bakersfield.

2. Any local schedules operated by Orange Belt Stages between the points of Barstow and Bakersfield will operate into and out of Transcontinental depots at Barstow and Bakersfield, unless said local schedules are train connection schedules. If any train connection schedule is operated into and out of the Greyhound depot at Barstow or Bakersfield, said schedule will also be

operated into and out of the Transcontinental depot at said point.

In the absence of protest and because of delays in processing the instant application, which has resulted in great inconvenience and economic loss, it is requested that the order become effective when signed and the 20-day waiting period be waived.

After consideration the Commission is of the opinion and so finds that the proposed sale will not be adverse to the public interest and should be authorized. The action taken herein shall not be construed to be a finding of the value of the rights and properties herein authorized to be transferred.

O R D E R

Application having been filed and the Commission being advised in the premises,

IT IS ORDERED:

(1) That after the effective date hereof and on or before July 1, 1955, Hubert L. Mau and Bessie Fern Mau may sell and transfer to Thoburn S. Haworth, Ruth Healy Haworth, Bryan W. Haworth and Margaret Haworth the operative rights granted in Decision No. 47970 dated November 25, 1952, in Application No. 33733 and the properties hereinabove referred to.

(2) On not less than five days' notice to the Commission and to the public, applicants shall supplement or reissue the tariffs and timetables on file with the Commission naming fares, rules, regulations, and schedules governing the passenger stage operations here involved to show that Hubert L. Mau and Bessie Fern Mau, doing business as Bakersfield-Barstow Line, have withdrawn or

anceled and Thoburn S. Haworth, Ruth Hoaly Haworth, Bryan W. Haworth and Margaret Haworth, doing business as Orange Belt Stages, have adopted or established as their own said fares, rules, regulations, and schedules. The tariff and timetable filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs and timotablos set forth in the Commission's General Orders Nos. 79 and 98.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 12th day of April, 1955.

Carl E. Mitchell
President
Justus J. Cravens
Raymond L. ...
William H. ...

COMMISSIONERS