

Decision No. 52395**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Tanner Motor Tours,)
 Ltd., a corporation, to purchase,)
 and Beverly Hills Garage, Inc., a)
 corporation, doing business as)
 Beverly Motor Livery, and Edward)
 Bilicke to sell specified operating)
 rights.)

Application No. 37576

O P I N I O N

An order is sought in this proceeding authorizing Beverly Hills Garage, Inc., (hereinafter called Beverly) to sell and Tanner Motor Tours, Ltd., (hereinafter called Tanner) to purchase certain operative rights.

The application shows:

1. That Beverly possesses certificates of public convenience and necessity authorizing the transportation of persons between Santa Monica, Beverly Hills, Culver City and Westwood Village, on the one hand, and the Santa Anita and Hollywood Park race tracks, on the other hand; and also between Beverly Hills and Westwood Village, on the one hand, and Tournament of Roses parade area and Rose Bowl Stadium, on the other hand. (Decisions Nos. 38222, as amended, 39540, 43862 and 44213)

2. That Tanner possesses certificates of public convenience and necessity authorizing the transportation of passengers on sight-seeing service, to and from race tracks, and related operations.

3. That the consideration for the transfer is the sum of \$13,000 of which \$12,800 represents good will and \$200 represents the value of the operative rights involved, payable within five days after the effective date of any order issued by this Commission authorizing such transfer.

The Commission finds that the public interest will not be adversely affected by approval of the transfer proposed herein. The application will be granted. The action taken herein shall not be construed to be a finding of the value of the rights herein authorized to be transferred. Tanner Motor Tours, Ltd., is hereby placed upon notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. A public hearing is not necessary.

O R D E R

An application having been filed, and the Commission being of the opinion that the authority requested should be granted,

IT IS ORDERED:

(1) That Beverly Hills Garage, Inc., a corporation, after the effective date hereof, and on or before January 31, 1956, may sell and transfer to Tanner Motor Tours, Ltd., a corporation, and the latter may acquire and purchase the operative rights granted by Decision No. 38222, as amended, Decision No. 39540, Decision No. 43862 and Decision No. 44213.

(2) That within thirty days after completion of the transfer herein authorized, Tanner Motor Tours, Ltd., shall so notify the Commission in writing and within said period shall file with it true copies of the instruments executed to effect said transfer.

(3) That applicants shall, effective concurrently with the consummation of such transfer, and on not less than one day's notice to the Commission and the public, amend tariffs on file with the Commission naming rates, rules and regulations governing

the operations here involved to show that Beverly Hills Garage, Inc., has withdrawn and Tanner Motor Tours, Ltd., has adopted as its own said rates, rules and regulations.

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

Dated at San Francisco, California, this 22nd day of December, 1955.

John E. Mitchell
President
Justice F. Casanova
Royce Untermyer
Michael J. ...
R. Hardy
Commissioners