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Decision No. 11617

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
 the UNITED STAGES INC. for certificate
 of public convenience and necessity to
 operate passenger auto bus service
 and to handle packages between Niland,
 Calipatria and Brawley.

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 :
) Application No. 8637
 :
)

BY THE COMMISSION,

ORDER

In this proceeding United Stages Inc. has applied to the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of an automobile stage line as a common carrier of passengers and express over the new State Highway between Niland and Brawley. Applicant at the present time operates between the points hereinabove mentioned, the present application being solely for an order authorizing a change in route permitting operation as heretofore conducted with the exception that in operation over the new highway service will not be rendered through the town of Rockwood, the highway running a distance of approximately one and one-half miles west thereof. There is no change contemplated in their rates or time schedules at present in effect for the service between Niland, Calipatria and Brawley.

Applicant further states that during the past six months only 24 passengers have been carried either to or from the town of Rockwood and that no inconvenience will result in the change

of route as proposed herein.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted with the distinct understanding that in acting affirmatively upon the present application, this Commission does not in any way grant applicant herein a certificate of public convenience and necessity in addition to the certificate heretofore held; that the present certificate is merely in lieu of the existing operative right of applicant herein in that it permits operation over the new State Highway instead of operation over the old route as heretofore conducted.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by United Stages, Inc. of an automobile stage line as a common carrier of passengers and express over the new State Highway constructed between Calipatria, and Brawley,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same hereby is granted, subject to the following conditions:

1. That the certificate granted herein is not in addition to, but in lieu of the operative right under which applicant herein has heretofore operated.
2. Applicant shall file within a period of not to exceed ten (10) days from date hereof, his written acceptance of the certificate herein granted and shall file within a period of not to exceed thirty (30) days from date hereof, a supplement to its C.R.C. No. 20, which said supplement shall eliminate the town of Rockwood from Section 5 of said tariff.
3. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
4. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is

leased by said applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 20th
day of February, 1923.

C. A. Seaver
James M. Astor
George Shore
J. T. Whittney
Commissioners