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Decision No. 11779

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
 S. S. SUMMERS & SON for certificate of )  
 public convenience and necessity to )  
 operate passenger and freight service ) Application No. 8714  
 between Burney and Cayton via Pit 3. )

BY THE COMMISSION,

ORDER

S. S. Summers and Dan Summers doing business under the name of S. S. Summers & Son, have filed an application with the Railroad Commission in which they petition for a certificate of public convenience and necessity authorizing the operation of an automobile stage line as a common carrier of passengers and freight between Burney and Cayton via Pit 3.

Applicants propose to operate one round trip per day upon a time schedule which will afford a connection at Burney with the stage line operated between Redding and Fall River and to use in such service two Ford touring cars and a one-ton truck when needed.

In view of the fact that there is no service by public carrier over the route herein proposed to be served and that there appears to be a public necessity for the service proposed, 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.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

HEREBY DECLARES that public convenience and necessity require the operation by S. S. Summers and Dan Summers, co-partners doing business under the name of S. S. Summers and Son, of an automobile stage line as a common carrier of passengers and freight between Burney and Cayton, serving Pit 3 as an intermediate point, and

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. Applicants herein shall file their written acceptance of the certificate herein granted within a period of not to exceed twenty (20) days from date hereof; shall file, in duplicate, tariff of rates and time schedules, identical with those attached to the application herein as Exhibits "A" and "B", within a period of not to exceed thirty (30) days from date hereof; and shall commence operation of the service herein authorized within a period of not to exceed forty (40) days from date hereof.

2. The rights and privileges herein granted shall 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.

3. No vehicle may be operated by applicants herein unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 27<sup>th</sup>  
day of February, 1923.

C. Seaver

Wm. J. Martin

J. T. Whitney  
Commissioners