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Decision No. 17217.

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
DONALD MACPHERSON for a certificate )  
of public convenience and necessity )  
to operate an automobile passenger ) Application No. 8729  
and express stage line between Arcata )  
and Samoa, Humboldt County, California. )

H. L. Ricks for Applicant.

BY THE COMMISSION,

O P I N I O N

Donald MacPherson has filed an application with the Railroad Commission in which he applies for a certificate of public convenience and necessity authorizing the operation of an automotive passenger stage line between Arcata and Samoa, California.

A public hearing in the above entitled application was held before Examiner Satterwhite at Eureka on June 5, 1923, at which time the matter was submitted and is now ready for decision.

Arcata is a town situated at the head of Humboldt Bay. Samoa is principally a lumber community situated some eleven miles down the coast on the opposite side of Humboldt Bay from the City of Eureka. A highway has recently been constructed and open to traffic between the two points hereinabove named and applicant desires to establish an automotive stage service to take care of passenger traffic between the two points. This traffic will consist principally of school children attending the normal or high schools located at Arcata. These children are now obliged, during the school term, to either live at Arcata

or travel by ferry across Humboldt Bay to Eureka and from Eureka to Arcata, a very round-about and expensive trip.

Under the service proposed, applicant will charge a special commutation rate of \$10.00 per month for students attending educational institutions at Arcata, also a special commutation book, good for fifty rides at a rate of \$12.50 per book, charging a one-way fare of 50 cents in either direction.

While applicant had no witnesses to testify in support of his application other than himself, he submitted several petitions in which the proposed service was indorsed, not only by the school authorities of Arcata, but by the lumber interest at Samoa and other residents affected by the proposed service. The attorney for the Hammond Lumber Company which operates mills at Samoa also stated that his company had authorized him to state that they were in favor of the service as proposed by applicant herein.

In view of the foregoing, we are of the opinion that the application should be granted.

#### ORDER

A public hearing having been held in the above entitled proceeding, evidence submitted and the Commission being fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Donald MacPherson of an automotive stage line as a common carrier of passengers and express between Arcata and Samoa, and a certificate of public convenience and necessity be, and the same hereby is granted, subject to the following conditions:

1. The term "express" as used in the above declaration shall include only the transportation of merchandise which shall not be in excess of 200 pounds from one consignee to one consignor.
2. Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall

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

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 19<sup>th</sup>  
day of June, 1923.

*C. Seary*

*George Martin*  
*Ernest Shore*

*J. J. Whittier*  
Commissioners