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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
SMITH AUTO COMPANY, a co-partnership,
for a certificate of public convenience
and necessity, authorizing the operation
of an auto freight line between Bishop,
California, and Mammoth Hotel, Mono
County, California, and intermediate
points.

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:
) Application No. 9223
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BY THE COMMISSION,

ORDER

U. G. Smith and Irl S. Newlan, doing business under the name of Smith Auto Company, 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 automotive truck company as a common carrier of freight between Bishop, Mammoth Hotel, and serving as intermediate points Loff's Rock Creek Station and Convict Crossing.

Applicants propose to operate three round trips each week during the period May 1st to September 30th of each year and to charge rates as more specifically set out in the application herein, using one 2½-ton Pageol truck and one 1-ton Buick truck in the proposed service.

Applicant sets out as justification for the granting of a certificate as herein proposed, the allegation that the Mammoth Hotel and store are usually open between the first of May and the

first of October of each year; that a considerable number of campers spend their vacations in the Mammoth district and along the route proposed to be served; and at the present time there is no means of public conveyance for the transportation of freight in this territory; and that a public necessity exists for the same during the summer months that applicant proposes to operate.

In view of the above, 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 U. G. Smith and Irl S. Newlan, co-partners doing business under the name of Smith Anto Company, of an automotive stage service as a common carrier of freight between Bishop and Mammoth Hotel serving Loff's Rock Creek Station and Convict Crossing as intermediate points during the period May 1st to October 1st of each year, 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, Smith and Irl, co-partners, shall immediately file within a period of twenty (20) days from date hereof their written acceptance of the certificate herein granted; shall file, in duplicate, tariff of rates and time schedules within a period of not to exceed thirty (30) days from date hereof, said tariff of rates and time schedules to be identical with those as set out in the application herein; 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 the co-partners herein unless such vehicle is owned by said co-partners or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 11th
day of August, 1923.

C. A. Lewis

Eugene Shore

J. F. Whittelsey
Commissioners