

Decision No. 12521

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
TURNER LILLIE for certificate of pub-  
lic convenience and necessity to  
establish an automobile stage line as  
a common carrier of passengers, express  
and baggage between Stockton and Angels  
Camp via Farmington, Telegraph City and  
Copperopolis, California.

Application No. 9120.

Gwynn H. Baker for applicant.

BY THE COMMISSION:

OPINION

Turner Lillie has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers, baggage and express between Stockton and Angels Camp via Farmington, Telegraph City and Copperopolis and intermediate points.

A public hearing on this application was conducted by Examiner Satterwhite at Stockton, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates and operate on a time schedule in accordance with Exhibits "A" and "B" attached to said application and to use as equipment one 8-passenger Packard automobile.

No one appeared in opposition to the granting of this application. The applicant testified in support of the application

and called several other witnesses. The testimony shows that Copperopolis is a mining town and that the great majority of the laborers working in the mines and smelters there are secured from Stockton, and many are also obtained from Angels Camp. There are at present at least one hundred men working in these mines and at an early date there will be at least two hundred and fifty employed on account of the fact that the mines are to be operated on a larger scale. There are two or three stores as well as a few other business places, such as garages and blacksmiths' shops, at Copperopolis and the supplies and stock for these business places are purchased mainly at Stockton and, to some extent, at Angels Camp. Many of the miners live at Angels Camp and travel back and forth daily. The record shows that the weekly pay-roll of the mines runs into several thousand dollars and that the local bank at Angels Camp is the depository for many of the workers and residents at Copperopolis. There are no regular transportation facilities between the points proposed to be served, with the exception of the Southern Pacific Railroad, which operates between Stockton and Farmington, and the applicant indicated at the hearing that he desires to give no local service between these two points. Applicant now operates an automobile stage service between Stockton and Angels Camp by way of San Andreas, but this follows a route entirely different from the proposed service which he seeks in this proceeding.

The laborers at Copperopolis depend entirely upon machines for hire in traveling to and from the mines and the evidence shows that the proposed stage line will afford a necessary and convenient service. After a careful consideration of the evidence, we are of the opinion that the application should be granted.

## ORDER

A public hearing having been held in the above entitled application, the matter having been submitted and now being ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Turner Lillie of an automobile stage line as a common carrier of passengers, baggage and express between Stockton and Angels Camp via Farmington, Telegraph City and Copperopolis and intermediate points, 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. No local passengers shall be carried between Stockton and Farmington.
2. Applicant shall file within a period of not to exceed (10) ten days from date hereof his written acceptance of the certificate herein granted and 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 as set out in the application herein; service as herein authorized to be commenced 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 him under a contract or agree-

ment on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 22nd  
day of August, 1923.

C. Deane

Irving Martin

J. Whitting  
Commissioners