

Decision No. 12,573.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 A. A. JOHNSON for certificate of public
 convenience and necessity to op-
 erate passenger, baggage and express
 service between Westwood, Lassen
 County, and Stirling City, Butte
 County.

Application No. 8926.

Herbert B. Whitten for the applicant.
 Grover O'Connor for Houck & Smith Stage
 Line, protestant.
 C. E. Spear for Southern Pacific Company.

BY THE COMMISSION:

OPINION

A. A. Johnson 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 Westwood and Stirling City and intermediate points, from June 1st to November 1st.

A public hearing on this application was conducted before Examiner Satterwhite, 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, using as equipment one 16-passenger White automobile.

Houck and Smith, who operate a passenger stage line between Chico and Susanville by way of Chester and Westwood, protested the granting of this application.

Applicant testified in support of his application and called several other witnesses. The evidence shows that the Diamond Match Company operates a large sawmill at Stirling City and there are a great many men employed at that plant. These laborers, during the year, secure work also at other lumber mills at Susanville and Westwood, and this proposed stage service will afford a more direct route between Stirling City and points both north toward Susanville and south toward Oroville. The intermediate points of Longville and Chaparrel are popular camping districts, where, during the summer season, hundreds of campers spend their vacations and receive their supplies as well as mail. It was shown that there are at least a dozen cattle men and stock men who reside in the vicinity of Longville who travel in and out of this territory, who could avail themselves of this proposed stage service.

At the present time the owner of the hotel at Longville, as well as the hotel owner at Chaparrel, brings in supplies either by team or by private automobile and each of them has requested and endorsed this proposed service on the ground that such a stage service could be used for bringing in supplies not only to the hotels but to the hundreds of campers and vacationists in this section. It appears that large numbers of tourists visit and pass through the territory proposed to be served, who could use this service for securing supplies and also mail.

The record shows that Houck and Smith operate a satisfactory service between Chester and Susanville, and we are of the

opinion that the evidence does not justify the granting of a certificate from Chester to Westwood, but we are satisfied, after a careful consideration of all the evidence, that public convenience and necessity require the operation of a portion of the proposed service between Stirling City and Chester and intermediate points.

ORDER

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

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the operation by A. A. Johnson of an automobile stage line as a common carrier of passengers, baggage and express between Stirling City and Chester and intermediate points, from June 1st to November 1st of each year.

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. 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 attached to the application herein; and shall commence operation of said service within a period of not to exceed thirty (30) days from date hereof.

2. 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.

3. 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 agreement satisfactory to the Railroad Commission.

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

C. Seavey

Dwight Martin

J. Whitney
Commissioners.