

ORIGINAL

Decision No. 12603.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 T. E. IVES for permission and)
 authorization to operate freight line :
 by automobile truck between Raymond,)
 County of Madera, State of California,)
 and Fish Camp, County of Mariposa,) Application No. 9220
 State of California, and for a temporary :
 order permitting the operation of said)
 line pending the hearing of this Ap-)
 plication.)

BY THE COMMISSION,

ORDER

T. E. Ives has made application to the Railroad Commission in which he applies for a certificate of public convenience and necessity authorizing the operation of an automobile truck line as a common carrier of freight between the termini of Raymond, in the County of Madera, and Fish Camp, County of Mariposa, serving intermediate points of Ahwanee, Nipinnawasee, Cedar Brook and Miami.

In connection with an application of one Cronin for a certificate authorizing operation of a certain freight truck service in the territory covered by this applicant, applicant herein entered a protest against the granting of the same, claiming that he had been operating in such territory over a considerable period of time and that there was no necessity for the additional service as proposed by Cronin. He was informed at that time that the Commission could not recognize his operation in that it was in violation of the provisions of Chapter 213, Statutes of 1917, and amendments thereto in that he had never secured a certificate as required by

Section 5 of the above numbered statutory enactment, nor had he ever complied with the general orders of the Commission which directed that all stage or track lines operating prior to May 1st, 1917, file in duplicate tariff of rates and time schedules covering their operation. The present application is made for the purpose of legalizing the operation of Ives, Cronin admitting that Ives has been operating in this territory for a considerable period of time last past and that he did not desire to protest a continuation of the service being rendered by said Ives.

Applicant proposes to operate one round trip each day during the period April 1st to September 30th between Miami and Raymond and one round trip per week between Raymond and Nipinnawasee during the period October 1st to March 31st of each year and to charge rates as more fully set out in Exhibit "C" attached to the application herein.

In view of the circumstances surrounding this application, 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 T. E. Ives of an automobile truck line as a common carrier of freight between Raymond and Fish Camp serving the intermediate points of Ahwancee, Nipinnawasee, Cedar Brook and Miami, 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. Applicant herein shall file within a period of not to exceed ten (10) days from date hereof his written acceptance of the certificate herein granted; shall file, in duplicate, within a period of not to exceed twenty (20) days from date hereof tariff of rates and time schedules, identical with those as set out in Exhibits "B" and "C" 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.

2. The rights and privileges herein granted 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 on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 13th
day of September, 1923.

C. Seaver
H. B. ...
Dwight ...
Carleton ...
J. H. ...
Commissioners