

ORIGINAL

Decision No. 13461

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 W. B. SHIVELY for certificate of pub-
 lic convenience and necessity to oper-
 ate passenger, freight, express and
 baggage service between Eureka and
 Bridgeville, California.) Application No. 9616.

BY THE COMMISSION:

ORDER

W. B. Shively applies for a certificate of public convenience and necessity authorizing the operation of an automotive stage line as a common carrier of passengers, freight, express and baggage between Eureka and Bridgeville and intermediate points, Humboldt County, California.

Applicant proposes to charge rates as more specifically set forth in Exhibit "1" attached to the application herein and to operate on a schedule of 2 round trips per week, using in such service one Reo Speed Wagon and one Dodge Delivery during the period of the year that it is possible to operate automotive equipment. During the winter months horses and wagons will be used in the proposed service.

It appears from the record in this proceeding that one W. G. Boyd was operating service as herein proposed prior to May 1, 1917 and in accordance with general order of the Railroad Commission filed tariff of rates covering such operations. In 1920 Shively, the present applicant, took over the mail contract of Boyd and filed at that time an application for a certificate. This application was dismissed with the advice that he should file a joint

application with Boyd for a transfer of Boyd's operative rights. Due to a misunderstanding this was never done and the present application is for the purpose of legally establishing Shively's right to continue this service.

In view of the foregoing 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 W. B. Shively of an automotive stage line as a common carrier of passengers, freight, express and baggage between Eureka and Bridgeville, serving the intermediate points of Freshwater, Noeland, Lawrence Creek, Mallens, Iaqua, Lone Star, and Yager, 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 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 on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 23rd day of April, 1924.

Al. Henry
H. B. ...
Dwight ...
J. T. ...
Commissioners,