

Decision No. 14115

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)
MAITLAND O. PAYNE for certificate of)
public convenience and necessity to) Application No. 9971
operate passenger and freight auto)
stage service between Scott Bar, Fort)
Jones and Yreka, California.)

JAMES M. ALLEN, for Applicant.

BY THE COMMISSION:

OPINION.

ORIGINAL

Maitland O. Payne has petitioned the Railroad Commission of the State of California in accordance with his amended application for an order declaring that public convenience and necessity requires the operation by him of an automobile stage line as a common carrier of passengers and freight between Scott Bar and Yreka, serving Fort Jones and intermediate points, provided however, that said applicant shall carry no local freight between Yreka and Fort Jones.

A public hearing on this application was conducted before Examiner Setterwhite at Yreka, the matter was submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with Exhibit "A" attached to said application and to operate on a time schedule in accordance with amended Exhibit "B"; and to use the equipment described in Exhibit "C" attached to said application.

No one appeared at the hearing to protest the granting of said application.

Said applicant now operates an authorized passenger and freight service between Scott Bar and Fort Jones and the said proposed service will be an extension to said authorized service.

The testimony shows that passengers from Scott Bar and intermediate points, destined Yreka, upon arrival at Fort Jones in the afternoon, are compelled to stay over night at Fort Jones before completing their journey, for the reason that the stage line which operates from Aetna and Scott Valley passes through Fort Jones to Yreka in the forenoon. Yreka is the County seat of Siskiyou County and is a social and business center for the merchants, farmers and residents who reside in the territory between Happy Camp, Scott Bar and also in the territory between Scott Bar and Fort Jones, and under present conditions of travel, all passengers from this particular territory are compelled to hire private conveyances or to lay over night at Fort Jones in order to make stage connections the following morning. This is true in both the going and returning trips. It was shown that connections will be made by said applicant at Scott Bar with the Hornbrook Happy Camp Stage Line, and passengers will be given the opportunity of making the trip from Happy Camp to Fort Jones and thence to Yreka in one day, and vice versa. Merchants at Happy Camp and other points who conduct general merchandise stores in the territory between Happy Camp and Fort Jones have endorsed this service, as well as residents at Fort Jones and points between Fort Jones and Scott Bar.

After careful consideration of all the evidence, we are of the opinion that the application should be granted.

O R D E R

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

The Railroad Commission hereby declares that the public convenience and necessity requires the operation, by the said Maitland O. Payne, of an automobile stage line as a common carrier of passengers and freight between Scott Bar and Yreka, serving Fort

Jones and intermediate points, provided, however, that said applicant will carry no local freight between Yreka and Fort Jones, provided further that the certificate herein granted is in lieu of and not in addition to the existing operative rights of applicant between Fort Jones and Scott Bar.

IT IS HEREBY ORDERED, that a certificate of public convenience and necessity be, and the same is hereby issued, to said applicant, Maitland O. Payne, subject to the following conditions and provisions:

(1.) Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereon; shall file, in duplicate, tariff of rates and time schedules within a period of not to exceed twenty (20) days from date hereon, 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 hereon.

(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 1st Day of October, 1924.

H. B. Brundage

Irving Martin

J. T. Whittlesey

Commissioners.