

Decision No. 14478

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
GEORGE R. ZURFLUH for certificate to  
operate extension passenger, express  
and baggage service between Fair Oaks  
and Orangevale and intermediate points;  
and also authority to establish express  
rights from Sacramento to Fair Oaks.

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) Application No. 10189.  
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)

R. P. Talbot for applicant,  
A. L. Richardson for the  
Pierce Arrow Stages.

ORIGINAL

BY THE COMMISSION:

O P I N I O N

George R. Zurfluh 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 express, passengers and baggage between Fair Oaks and Orangevale and intermediate points, and also as a common carrier of express between Sacramento and Fair Oaks and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Sacramento. The matter was submitted and is now ready for decision.

Applicant proposes to charge rates and to operate on a time schedule in accordance with Exhibits A and B attached to said application and to use equipment as described in Exhibit C attached thereto.

A. L. Richardson, representing the Pierce Arrow Stage Company, protested the granting of said application, but only as to the proposed passenger service between Orangevale and Sacramento.

Applicant now operates an authorized passenger service between Sacramento and Fair Oaks.

Applicant testified in his own behalf and called several witnesses in support of his application.

The evidence shows that Fair Oaks and Orangevale are the community centers of a large farming district and that the farmers in this territory do considerable buying of supplies at Sacramento as well as selling their farm products of various kinds, and it was shown that the proposed express service would afford them a direct means of making shipments to and from Sacramento.

In reference to the proposed extension of applicant's passenger service from Fair Oaks to Orangevale, which applicant intends to operate in conjunction with his present service, the record shows that the Pierce Arrow Stage Company passes directly through Orangevale and has ample equipment, and at all times has rendered an adequate passenger service through this particular section, and in view of such fact the proposed passenger service of applicant is not a public necessity.

After careful consideration of all the evidence, we are of the opinion and hereby find as a fact that the public convenience and necessity require applicant's proposed express service between Sacramento and Fair Oaks and between Fair Oaks and Orangevale, but does not require the proposed extension of applicant's passenger service from Fair Oaks to Orangevale.

O R D E R

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

The Railroad Commission hereby declares that public convenience and necessity require the operation by George R. Zurfluh of an automobile stage line as a common carrier of express between Sacramento and Fair Oaks, serving Carmichael, DelPaso, Hop Ranch and H. Street Bridge as intermediate points, and between Fair Oaks and points on the highway to and including Orangevale, not as a separate service, but as supplemental and in addition to applicant's present passenger operative rights between Sacramento and Fair Oaks.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for the foregoing express service be and the same is hereby granted, not as a separate express service but as supplemental to and in addition to applicant's present passenger operative rights and 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 identical with those filed as Exhibits "A" and "B" attached to the application herein within a period of not to exceed twenty (20) days from date hereof; 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 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.

IT IS HEREBY FURTHER ORDERED that said application as to said proposed passenger service between Fair Oaks and Orangevale be and the same is hereby denied.

Dated at San Francisco, California, this 27<sup>th</sup> day of January, 1925.

H. R. Brundage

C. Cheney

Egerton Shore

George W. Squires

Ernest C. ...  
Commissioners.