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Decision No. 14511

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of
A. M. AKINS & SONS for a certificate of
public convenience and necessity to
operate automobile freight service bet-
ween Lower Lake and Subs Early subdivision
serving as intermediate points Clear Lake
Highlands, Austins Woodlands, Clear Lake
Park, Sulphur Bank Quicksilver Mine
including 2 miles each side of County Road
traveled, said proposed service to be an
extension of present operations now being
operated between Calistoga and Lower Lake.

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:Application No. 10733
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BY THE COMMISSION:

ORDER

This is an application by A. M. Akins & Sons, a co-
partnership, for authority to operate an auto truck freight
service between the community at Lower Lake, in Lake County,
and Subs Early subdivision located at a point approximately
ten miles distant from Lower Lake and intermediate points in-
cluding Clear Lake Highlands, Austins Woodlands, Clear Lake
Park and Sulphur Bank Quicksilver Mine together with the ter-
ritory two miles on either side of the county road traveled
between the above named points.

Granting of this certificate will have the effect
of extending an operating right now held by applicant covering
service between Calistoga and Lower Lake, which right was
established by operation prior to May 1, 1917 and continuously
since that date as shown by tariffs filed with the Commission.
As a matter of fact the territory sought to be served by ap-

plicant under authority of this Commission and in accordance with the instant application, has been served by applicant for many years, applicant conducting such operation under the impression that territory contiguous to Lower Lake was terminal territory as described in the tariff filings. Advised by the Commission that any operation beyond Lower Lake without authorization constituted an illegal extension of operating rights, applicant promptly filed an application for the necessary certificate.

C. F. Fredericksen & Sons who operate a freight truck service under authority of the Commission in the territory served by this applicant and who have also filed an application for an extension of their operating rights into the same territory sought to be served as an extension by Akins & Sons, have, in writing, advised the Commission that they have no objection to the enlargement of their field of service by Akins & Sons.

In view of all the circumstances, we believe that this application should be granted and that it is not a matter requiring a public hearing.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by A. M. Akins & Sons of an automobile service for the transportation of freight between the community at Lower Lake and Subs Early subdivision and intermediate points including Clear Lake Highlands, Austins Woodlands, Clear Lake Park and Sulphur Bank Quicksilver mine, together with the territory two miles on either side of the county road traveled between the points named herein.

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 written acceptance of the certificate herein granted; shall file within a period of not to exceed twenty (20) days from date hereof tariff of rates and time schedules identical with rates and schedules as set forth in Exhibits "A" and "B" 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 authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission thereto has first been secured.

3. No vehicle may be operated by applicant herein unless such vehicle is owned or is leased by said applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this

30th

day of January, 1925.

H. B. Burdick
C. Sealey
Ernest B. Cook
George D. Squires
Emmanuel
COMMISSIONERS