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Decision No. 14516

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of C. F. FREDERICKSEN and SONS, for a certificate of public convenience and necessity to operate automobile freight service between Lower Lake and Subs Early Subdivision, serving as intermediate points, Clear Lake Park, Clear Lake Highlands, Austins Woodlands, Sulphur Bank Quicksilver Mine, and 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. 10762  
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BY THE COMMISSION:

O R D E R

This is an application by C. F. Fredericksen & 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 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 above named points.

Granting of this application 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.

This prior right was established by the Lake County Meat and Produce Company and under authority of the Commission granted on Application No. 6596 was transferred to C. F. Fredericksen & Sons, a co-partnership. As a matter of fact the territory sought to be served by applicant 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.

A. M. Akins & 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 C. F. Fredericksen & Sons, have, in writing, advised the Commission that they have no objection to the enlargement of their field of service by C. F. Fredericksen & 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 C. F. Fredericksen & 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 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 the rates and schedules set forth in 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 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 30<sup>th</sup>  
day of January, 1925.

W. B. Brundage  
C. S. Weaver  
Eugene D. Schaefer  
George D. Squires  
Ernest Scott  
Commissioners