

Decision No. 14563

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of McDONALD & MIZER for Certif-)
icate of Public Convenience and)
Necessity to operate Freight and)
Passenger Service between Needles)
California, and Searchlight,)
Nevada.)

ORIGINAL

APPLICATION NO. 10528

J. J. McDonald, for Applicant.
Robert E. Abbott for E. B. Brown,
Protestant.

BY THE COMMISSION.

O P I N I O N

McDonald & Mizer, co-partners, have made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight and passenger service between Needles, California, and the Nevada State line, twenty-seven miles northeast of Needles, on the Needles-Searchlight highway.

A public hearing herein was conducted by Examiner Williams at Los Angeles.

Applicants propose to operate without regular schedule between termini over the Arrowhead Trail route between Searchlight and Junction, California, thence over the Old Trails highway to Needles. The equipment used is a one-ton Ford truck and the only passenger accommodation is on the seat with the

driver. Applicants propose a flat rate of \$1.00 per 100 pounds between termini or intermediate points, and a passenger fare one way of \$3.00.

It was the testimony of J. J. McDonald that this operation has been conducted continuously for about eight years, and that only recently were applicants aware that a certificate of public convenience and necessity was required for that portion of their route in the State of California. Applicants have proper authority to operate in the State of Nevada.

McDonald further testified that since the withdrawal of railroad service from Searchlight there has been a continuous use of their service between Searchlight and Needles, a distance of fifty-four miles, and that the service had been restricted to quantities of one ton or more. He also testified that the only passengers carried are those who accompany shipments. Rail service between Needles and Searchlight is via Barstow and requires a journey of 270 miles to Nipton, California, and from there via automobile.

The application was protested by E. B. Brown, operating the Needles - Las Vegas Passenger and Express Line, which also serves Searchlight en route. Brown testified that his losses on this operation have been heavy.

It was the testimony of James T. Hawkins, operating under authority of this Commission an automobile freight service between Nipton, California, and Searchlight, that no new service was needed, especially as Brown was at that time an applicant before this Commission for authority to transport freight, as well as passengers and express. Since the hearing in this

matter was conducted, the application of Brown for authority to operate a freight service has been withdrawn at the request of applicant; and also, at his request, Brown has been permitted to abandon his passenger and express service between Needles and Las Vegas via Searchlight.

In view of the foregoing facts, it appears that this service, so long maintained by applicants herein, should be permitted to operate for the benefit of that portion of the public that requires such a service, as it will be the only means of transportation between the two points (except the rail service alluded to). An order granting the application herein will be entered.

O R D E R

J. J. McDonald and Bert Mizer, co-partners, having applied to the Railroad Commission for a certificate of public convenience and necessity to operate an automobile freight and passenger service between Needles, California, and the Nevada State line, a public hearing having been held, the matter having been duly submitted and now being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the operation by applicants of an automobile freight and passenger service between Needles, California, and the Nevada State line at its junction with the Arrowhead Trail highway, over and along the following route:

The Old Trails highway within the State
of California; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted, subject to the following conditions:

- I. Applicant shall file written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file time schedules and tariff of rates identical with those as set forth in Exhibit 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.
- II. 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.
- III. No vehicle may be operated by applicants unless such vehicle is owned or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes, the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 14th day of February 1925.

H. D. Brundage
Chairman
Egerton Shore
George D. Squires

Commissioners.