

ORIGINAL

Decision No. 14716

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
PICKWICK STAGES SYSTEM, a corporation,  
for a certificate of public convenience  
and necessity to operate local automobile  
stage service between Redding and the  
California-Oregon line, north of Cole,  
California, and intermediate points. ) Application No. 11,189

Warren E. Libby, for Applicant,  
Earl A. Bagby, for California Transit Company, Protestant,  
Edward Stern, for American Railway Express Company,  
Protestant,  
Sanborn, Roehl & De Lancey C. Smith, by H.E. Sanborn,  
for Shasta Transit Company, Protestant,  
H. W. Boggs, for Southern Pacific Company, Protestant.

BY THE COMMISSION -

O P I N I O N

Pickwick Stages System, a corporation, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by it of local automobile stage service for the transportation of passengers and express matter between Redding and the California-Oregon line, north of Cole, California.

Public hearing on this application was conducted before Examiner Handford at San Francisco, the matter was duly submitted and is now ready for decision.

By the conditions of the Commission's order as contained in Decision No. 14464 on Application No. 8067, as decided January 17, 1925, Pickwick Stages, Northern Division, a corporation, (predecessor in name to Pickwick Stages System, applicant herein), was granted a certificate of public convenience and necessity covering the operation of an automobile stage line as a common carrier of passengers and express packages between

San Francisco, California, and the California-Oregon line, north of Cole, California; the order, however, granting a certificate in lieu of then existing certificates, one of which (Decision No. 7209 on Application No. 5081, as decided March 2, 1920, to Pickwick Stages, Northern Division, a corporation) containing a provision as follows:

"Provided, however, that the authority herein conveyed does not authorize the carriage of any local passengers between Oakland and Davis; that no local passengers are to be carried between Woodland and the California-Oregon line unless vacant seats are available in the equipment operated by applicant and such vacant seats are not required for the accommodation of through passengers between points in the State of California and points in the State of Oregon; and provided, further, that no authority is herein conveyed for the establishment of any local line between any of the intermediate points on the through route herein authorized; \*\*\*\*."

It appears from the record herein that the business of the Pickwick Stages System between San Francisco and Oregon points has materially increased and that frequently there is a demand for additional schedules and for the running of additional cars to cover the traffic offering for the present scheduled trips. It further appears that there is a material demand upon applicant to transport local passengers between Redding and the California-Oregon line which demand can be met if the applicant were authorized to establish local service between such points, the applicant possessing the only certificate authorizing the carriage of passengers over the route between Redding and the California-Oregon line, north of Cole.

The volume of business to be cared for is not sufficient to justify the establishment of a separate carrier between Redding and the California-Oregon line, north of Cole, and such fact was recognized by the Commission in Decision No. 14652 on Application No. 10102, decided March 11, 1925, where the Commission stated in denying the application of E.R. Pace and C.A. Thompson as follows:

"The Commission, however, is convinced by the evidence in this proceeding that if the limitations heretofore imposed on the local service of the Pickwick Stages, Northern Division, (now Pickwick Stages System), in the territory between Redding and the California State line, as shown in said Decision No.7209, above referred to, were removed, the public need for more public stage service over this particular route would be fully met. We, therefore, suggest the commencement of appropriate proceedings before this Commission by the Pickwick Stages, protestants, for an enlargement of its local service between Redding and California state line, which proceedings will be given early consideration."

While protestants appeared in this proceeding, there was no evidence offered in support of such protest which requires consideration herein.

Upon the record herein we are of the opinion and hereby find as a fact that public convenience and necessity require the enlargement of the operating rights now possessed by applicant herein by the removal of the restrictions contained in the Commission's Decision No.14464 on Application No.8067, as decided January 17, 1925, and an order removing such restrictions will be made herein.

O R D E R

Public hearing having been held in the above entitled proceeding, the matter having been duly submitted and the Commission being now fully advised, and basing its order on the findings of fact as appearing in the opinion which precedes this order,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Pickwick Stages System, a corporation, of an automobile stage service for the transportation of passengers and express between Redding and the California-Oregon line, north of Cole, California, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same hereby is granted to Pickwick Stages

System, a corporation, such authority not to be construed as a new and separate certificate but as in addition to the rights heretofore granted by this Commission in its Decision No.7209 on Application No.5081, which rights are now possessed by applicant herein under the provisions of Decision No.14464 on Application No.8067, and

IT IS HEREBY FURTHER ORDERED that the restrictions contained in the aforesaid Decision No.7209, insofar as such restrictions refer to operations between Redding and the California-Oregon state line, north of Cole, California, and which restrictions read as follows:

"That no local passengers are to be carried between Woodland and the California-Oregon line unless vacant seats are available in the equipment operated by applicant and such vacant seats are not required for the accommodation of through passengers between points in the State of California and points in the State of Oregon; and provided, further, that no authority is herein conveyed for the establishment of any local line between any of the intermediate points on the through route herein authorized;"

be and the same hereby are canceled and annulled as to such portion of applicant's line between Redding and the California-Oregon state line, north of Cole, California.

IT IS HEREBY FURTHER ORDERED that the certificate herein granted is subject to the following conditions:

1- Applicant herein shall file with the Railroad Commission its written acceptance of the certificate herein granted within a period of not to exceed five (5) days from date hereof; shall file, in duplicate, tariff of rates and time schedules within a period of not to exceed ten (10) days from date hereof, 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 ten (10) 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 it under a contract or agreement on a basis satisfactory to the Railroad Commission.

4- For all purposes, other than hereinabove stated, the effective date of this order shall be twenty (20) days from the date hereof.

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

H. B. Brundage

C. L. Seaver

George H. Squires

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COMMISSIONERS.