

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
FRANK WORD for certificate of public
convenience and necessity to operate
passenger and express auto stage ser-
vice between a point on the Nevada-
California State line near Reno Junc-
tion and Loyalton, California.

ORIGINAL

Application No. 10711.

W. M. Kearney for Applicant.

BY THE COMMISSION:

O P I N I O N .

In this proceeding Frank Word has applied for a certificate of public convenience and necessity authorizing the operation of an automotive passenger and express service between the Nevada-California state line and Loyalton. Applicant proposes to reroute his stages so as to conduct a through service from the state line via Reno Junction to Chilcoot where the routes diverge, one extending via Vinton and Beckwith to Clover Valley Camp, and the other extending via Sierraville and Sattley to Calpine. The present stage line is now routed from the state line via Reno Junction, Chilcoot, Vinton and Beckwith to Calpine; from Beckwith a short spur line extends northerly to Clover Valley Camp. Applicant proposes to abandon that portion of his present route between Beckwith and Calpine, operations between these points having proved unremunerative, and instead, to establish a service branching from Chilcoot northward, as has been stated. Permission is sought to consolidate the lines described herein with the service between Beckwith and Clover Valley Camp, which is covered by a separate certificate.

A public hearing was held before Examiner Austin at Susanville on May 19, 1925, when evidence was offered, the matter was duly submitted, and it is now ready for decision. The granting of this application was not protested.

By this Commission's Decision No. 10,854, dated August 11, 1922, in Application No. 8025, a certificate of public convenience and necessity was granted to Manford M. Olsen and Frank Word (applicant herein) as copartners, authorizing them to operate an automobile stage line as a common carrier of passengers between Calpine, California, and the Nevada State Line to Reno, via Beckwith, serving as intermediate points Beckwith, Vinton, Chilcoot, Reno Junction, Peavine, Hinos Ranch, Lemon Ranch and Road House. This certificate was subsequently transferred to said Frank Word pursuant to the Commission's Decision No. 11,686, dated February 20, 1923, in application No. 8603. By Decision No. 13575, dated May 17, 1924, in application No. 9884, Frank Word was authorized to conduct an automotive service as a common carrier of passengers between Beckwith and Clover Valley Lumber Camp and intermediate points.

To avoid competition with the Chilcoot Downieville Stage Co., now conducting a passenger service between Chilcoot and Downieville, and traversing that portion of applicant's proposed route from Chilcoot via Loyalton, Sierraville and Sattley, where it diverges westward, applicant has offered to restrict his operation to through service from Reno Junction to Chilcoot, Loyalton, Sierraville, Sattley and Calpine, respectively; and in the opposite direction, from Calpine to Sattley, Sierraville, Loyalton, Chilcoot and Reno Junction, also from Sattley and Sierraville to Reno Junction and into Reno, Nevada. The intermediate traffic will be left to the Chilcoot Downieville Stage Co.

The applicant himself testified in support of the application, and he called as witnesses Manford M. Olsen, his former partner, who is now engaged in running a stage line between Portola and Reno,

C. E. Lawrence and D. W. Roberts, a travelling salesman of Reno. Their testimony indicates a substantial public demand for stage service between the points proposed to be served. Both Calpine and Clover Valley Camp are lumber camps, drawing their labor largely from Reno. Between Calpine and Loyalton the trip by rail consumes two days, the service being tri-weekly and involving a night's stop-over at Portola; by stage the journey can be made in one hour. The present stage service between Sattley and Chilcoot, it was stated, inconvenienced through passengers in that it afforded no direct connections with the Western Pacific for Reno, a stopover of one day being required. To obviate this applicant will establish a direct service for through traffic, leaving the local traffic to be handled by the existing stage line. During the winter season the line will be operated so long as the roads are open; it appearing that during the season of heavy snows stages cannot be operated beyond Loyalton. Operations between Calpine and Beckwith are not profitable, the traffic averaging about one passenger a month. It also appears that there is considerable demand on the part of merchants, ranchers and others for the transportation of small packages such as repair parts for farming machinery, watches and jewelry moving to towns to be repaired, drug and perishable supplies.

In our judgment the evidence shows a public need for the service proposed; also, applicant should be permitted to discontinue the line between Calpine and Beckwith, since it can be operated only at a loss.

Upon full consideration of the evidence we are of the opinion and hereby find as a fact, that public convenience and necessity require the operation by Frank Word of an automobile stage service for the transportation of passengers and express (in connection with applicant's passenger stages only) between a point

on the California-Nevada state line on the Reno highway south of Reno Junction, on the one hand, and Calpine and Clover Valley Camp, respectively, on the other hand, via Chilcoot where the routes to Calpine and Clover Valley Camp diverge, including also intermediate points except as restricted in this opinion and order, the same to be conducted and operated as a unified and consolidated service. We furthermore are of the opinion and hereby find as a fact that public convenience and necessity require the abandonment by applicant of his present automobile passenger stage service now maintained between Calpine and Beckwith.

An order will be entered accordingly.

O R D E R .

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

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares: (a) that public convenience and necessity require the operation by Frank Word of an automobile stage service for the transportation of passengers and express (in connection with applicant's passenger stages only) between (1) a point on the California-Nevada state line on the Reno highway south of Reno Junction, on the one hand, and Clover Valley Camp, on the other hand, via Reno Junction, Chilcoot, Vinton and Beckwith; (2) between said point on the California - Nevada state line, on the one hand, and Calpine, on the other hand, via Reno Junction, Chilcoot, Loyalton, Sierraville and Sattley; and (3) and between any and all termini and/or intermediate points on either or both of said routes, provided, that applicant shall not be

authorized hereunder to transport passengers or express from Chilcoot, on the one hand, to Loyalton, Sierraville or Sattley, on the other hand, nor from Sattley, on the one hand, to Sierraville, Loyalton, or Chilcoot, on the other hand;

(b) That public convenience and necessity require the consolidation and unification of the operative rights of said Frank Word, and the operation, as one unified system, of through service for the transportation of passengers and express between all the termini and intermediate points (except as in this order otherwise provided) served by and along his present several routes specifically described in this order;

(c) That public convenience and necessity require the abandonment by applicant, Frank Word, of his present automobile stage service for the transportation of passengers now conducted between Calpine and Beckwith.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said Frank Word, to operate the service specified in this order, and to consolidate the operative rights herein described and render through service thereunder.

IT IS FURTHER ORDERED that said applicant Frank Word be and he is hereby authorized to abandon the automobile passenger stage service now operated between Calpine and Beckwith.

IT IS FURTHER ORDERED that the certificate of public convenience and necessity herein granted shall be in lieu of and shall supersede any and all rights and privileges heretofore granted to or acquired, owned or held by applicant, pursuant to any and all certificates of public convenience and necessity heretofore granted by this commission to applicant, or pursuant to any and all operative rights heretofore ac-

quired, owned or held by applicant, over or along the route or routes herein described or any part thereof.

The authority herein granted is subject to the following conditions:

1. That no express package shall be carried weighing in excess of 50 pounds, and that no authority is hereby granted for the establishment of a general express service for the carriage of any express matter on any other equipment than that to be regularly used by applicant in his regular passenger service and then only when the same can be handled without inconvenience to passengers.

2. That the service herein authorized shall be established and put into effect by applicant prior to or concurrently with the abandonment by applicant of the existing service between Calpine and Beckwith.

3. 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 within a period of not to exceed twenty (20) 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 thirty (30) days from date hereof.

4. 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.

5. 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.

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 26th day of
August, 1925.

George D. Jones
Emmuel Scott
Leon Whitell
Commissioners.)