

Decision No. 15699

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
G. E. SELBY, for certificate of pub-  
lic convenience and necessity to op-  
erate passenger and baggage service  
between Highland Inn and Monterey,  
California. )

) Application No. 12064  
)  
)  
)  
)

**ORIGINAL**

BY THE COMMISSION:

OPINION AND ORDER

G. E. Selby has petitioned the Railroad Commission for a certificate of public convenience and necessity to operate an automobile service for the transportation of passengers and baggage between Highland Inn and Monterey and intermediate points.

It is proposed to charge rates in accordance with a document marked Exhibit "A," to give service in accordance with Exhibit "B" and to use equipment as shown in Exhibit "C," all three exhibits being attached to the application herein and made a part thereof.

A certificate of public convenience and necessity to operate an automobile stage line between Monterey and Highland Inn, with certain restrictions as to service between intermediate points was granted to C. C. Smith in Decision No. 11423, dated December 29, 1922, on Application No. 8342. Smith filed tariffs and time schedules and began operation within

the time specified in the Commission's order. He operated for a time and then turned the line over to G. E. Selby, applicant herein, to operate for him. Selby has maintained the service ever since, and filed the instant application when advised by the Commission that he must obtain a certificate authorizing him to operate if he desired to continue the service, which advice was given him by the Commission following receipt from Smith, now residing in San Diego, of a letter notifying the Commission that he (Smith) was not financially able to maintain the service.

A Supplemental Order on Application No. 8342, revoking Smith's certificate, has been made by the Commission. Granting of the application herein, then, will not create a new service, but give to Applicant Selby a right to continue a service he has been giving in ignorance of the law's requirements.

We are of the opinion, in view of all the circumstances, that this is a matter in which a public hearing is not necessary and that the application should be granted.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the operation of an automobile stage line for the transportation of passengers and baggage between Monterey and Highland Inn and intermediate points only between Highland Inn and Carmel-by-the Sea, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be and the same hereby

is granted to G. E. Selby, subject to the following conditions:

1. That applicant shall not transport passengers and baggage between Monterey and Carmel-By-the-Sea.

2. 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 sixty (60) days from date hereof.

3. 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.

4. 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 other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of November, 1925.

H. B. Brundage  
Channing  
George W. Squier  
Ernest C. ...  
Leon ...  
Commissioners.