

Decision No. 16543

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter Of the Application of)
 GEORGE P. MILLER for certificate of)
 public convenience and necessity to)
 operate a freight and passenger ser-) Application No. 12757
 vice between Placerville and Grizzly)
 Flat, in El Dorado County, California.)

BY THE COMMISSION -

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OPINION and ORDER

George P. Miller has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile service for the transportation of passengers and freight between Placerville and Grizzly Flats and intermediate points, all in Eldorado County.

Applicant proposes to charge rates and fares, to give service and to use equipment as shown in Exhibits "A", "B" and "C", all of which exhibits are attached to the application herein and made a part thereof.

Applicant Miller recently was granted a contract by the United States Government to transport mail between Placerville and Grizzly Flats on a schedule of three trips weekly. One George Ruoff formerly operated an auto service between Placerville and Grizzly Flats, but abandoned the service when he lost the mail contract. The Commission's files show that the Commission recently canceled Ruoff's tariffs and time schedules on receipt of advice from him to the effect that he had not operated for several years. His successor in the business of transporting mail, one Rupley, was never authorized by the Railroad Commission to operate as a carrier of persons or property between Placerville and Grizzly Flats, though advised by the commission that his operation with respect to the transportation of persons or property was illegal unless authorized by a certificate of public convenience and necessity issued by the Railroad Commission in accordance with

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the requirements of the Auto Stage and Truck Transportation Act. At the present time there is no authorized service between the points proposed to be served by applicant Miller. There is a demand for such a service according to his description of the territory through which he proposes to operate.

We are of the opinion 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 by George P. Miller of an automobile service for the transportation of passengers and freight between Placerville and Grizzly Flats and the intermediate points of Pleasant Valley, Young's, and Cole's, 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 George P. Miller, subject to the following conditions:

1- Applicant herein shall file with the Railroad Commission 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; or tariffs and time schedules satisfactory in form and substance to the Railroad Commission, and shall commence operation of said service 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 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 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 21st day of April, 1926.

[Handwritten signatures]

