

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
TURNER LILLE, for a certificate of
public convenience and necessity to
operate motor Bus passenger service
between the City of Stockton, San
Joaquin County, and the proposed
"Dam Site" of the East Bay Utility
District, located about five miles
northeast of the Town of Campo Seco,
Calaveras County, California.

Application No. 11829.

Lafayette J. Smallpage, for Applicant.

H. W. Hobbs, for Southern Pacific Company, Protestant.

E. S. Lublin, in propria persona.

BY THE COMMISSION:

O P I N I O N

Turner Lille has petitioned the Railroad Commission, in accordance with his amended application, for an order declaring that public convenience and necessity require the operation by him of an automobile stage as a common carrier of passengers and express matter between Valley Springs, Calaveras County, and the "Dam Site" of the East Bay Utility District and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Stockton, the matter was submitted and is now ready for decision.

1.

Applicant proposes to charge rates and to operate on a time schedule in accordance with amended exhibits B and C, attached to said application, and to use in said proposed service standard 8 passenger Packard automobiles as shown in Exhibit A.

John Smalley, who operates an authorized passenger and parcel service between Stockton and Jackson by way of Clements and Ione, protested said application, but in view of the amendments made to said application during the hearing, withdrew all opposition to its being granted.

Applicant testified in his own behalf and called several witnesses in support of the proposed service. Applicant now operates an authorized passenger and express service between Stockton and Valley Springs and Angels Camp and this proposed service would be an extension to his present service out of Stockton.

The evidence shows that the East Bay Utility District, which consists of the City of Oakland, Alameda County, and various communities surrounding said city, is proposing to construct a large dam about five miles northeast of Campo Seco upon the Mokelumne River. Since this matter was submitted for decision it has been called to the attention of this Commission that the Water Commission has granted the East Bay Utility District the right to carry water from the proposed dam above mentioned. Valley Springs is a small mountain community consisting of about 300 people and the route from this town to the proposed dam site is over an improved county highway. It was shown that at least 500 men will be employed in the construction of this dam as the work progresses. The turn-over will be about 7 percent. daily, which will make the total number of passengers that will probably be

carried daily from five to 25 men. Applicant offered testimony to the effect that he proposed to run a stub car which will meet all of his regular stages and transport the passengers direct.

The record shows that the route proposed to be followed by applicant is the most direct one from Stockton to the dam site. It was shown that there is no paralleling of any of the routes between Clements, which is served by John Smalley, and the proposed dam site, and it is for this reason that the applicant does not propose to pick up passengers destined between Stockton and Clements and points intermediate. When operations are commenced upon the dam practically all of the workmen will be secured and transported from Stockton, the chief labor center and place of employment, to the site of the proposed dam.

After a careful consideration of all the evidence in this proceeding, we are of the opinion that public convenience and necessity require the proposed service and the application should be granted.

O R D E R

A public hearing having been held in the above entitled application, the matter having been submitted, and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Turner Lille of an automobile stage line as a common carrier of passengers and express matter between Valley Springs, Calaveras County, and the "Dam Site" of the East Bay Utility District and intermediate points, not as a separate service, but as an extension to applicant's

present operative rights between Stockton and Valley Springs.

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

1. 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.
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, except as hereinabove stated, the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 10th day of May, 1926.

H. H. Brundage
C. L. ...
Leon ...

Commissioners.