

Decision No. 17458

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ROY D. RICE for certificate of public)
convenience and necessity to operate) Application No. 13195
freight and passenger service between)
Stonyford, Cal. and Maxwell, Cal.)

BY THE COMMISSION -

OPINION and ORDER

ORIGINAL

Roy D. Rice has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile common carrier service for the transportation of passengers and property between Stonyford and Maxwell and intermediate points.

Applicant proposes to charge rates and fares and to give service in accordance with Exhibits A and B, both of which exhibits are attached to the application herein and made a part thereof. The equipment he proposes to use is shown in Exhibit C, also attached.

According to the applicant there are no public means of transportation between Maxwell and Stonyford. The records of the Railroad Commission show that on September 8, 1926, (Decision No. 17323, issued on Application No. 9100) an operating right authorizing automobile service between Maxwell and Stonyford granted to S. A. Porter had been revoked and annulled, the order of revocation being issued on request of Porter, who sought relief from the requirements of the certificate of public convenience and necessity on the ground that loss of a government mail contract held by him made profitable operation of an automobile service impossible.

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 Roy D. Rice of an automobile service as a common carrier of passengers and freight between Maxwell and Stonyford and the intermediate points of Lodi and Sites 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 Roy D. Rice, subject to the following conditions:

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.

2- Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules, such tariffs of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from the 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 13th day of

October, 1926.

H. B. Brundage

C. L. Seavey

Leon White

Thos. J. Loutin