

ORIGINAL

Decision No. 17892

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 FRANK GLASSBURNER, for certificate
 of public convenience and necessity
 to operate service as a common carrier
 between Red Bluff and Lyonsville.)
) Application No. 13436
)

BY THE COMMISSION -

OPINION and ORDER

Frank Glassburner 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 Red Bluff and Lyonsville.

Applicant proposes to charge rates, give service and use equipment in accordance with exhibit attached to the application herein and made a part thereof.

Glassburner was recently awarded by the U. S. Government a contract to transport mail between Red Bluff and Lyonsville, a point about 33 miles east of Red Bluff. The records of the Commission show that the points were originally served by one Joe Lucas who filed a tariff showing that he was operating between Red Bluff and Lyonsville prior to May 1, 1917. When he lost the mail contract he discontinued operations without obtaining from the Commission authority to do so. Leander Myers, who succeeded him as mail contractor, though frequently advised that he must secure a certificate of public convenience and necessity from the Commission before engaging in the business of transporting persons or property between the fixed points of Red Bluff and Lyonsville, never applied for such authority and on July 1, 1926, when he lost the mail contract, discontinued his operations. Applicant Glassburner, when advised of the requirements of the Auto Stage and Truck

Transportation Act filed the instant application.

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 Frank Glassburner of an automobile service for the transportation of persons and property between Red Bluff and Lyonsville 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 Frank Glassburner, 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 12th day of January, 1927.

Frank Glassburner
H. B. ...
C. ...
Leon ...