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Decision No. 18165

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 the FRESNO TRACTION COMPANY for an)
 additional certificate of public)
 convenience and necessity in the)
 Exercise of its Franchise Granted by) Application No. 13,371
 Ordinance No. 986, Adopted by the)
 Commission of the City of Fresno, on)
 the 21st day of December, 1922.)

Everts, Ewing, Wild & Everts, by
 D. S. Ewing, for Applicant.

LOUTTIT, Commissioner:

OPINION

By the above entitled application, filed with this Commission on December 6, 1926, the Fresno Traction Company seeks a certificate of public convenience and necessity authorizing it to exercise the rights possessed by it under Franchise Ordinance 986 granted by the City of Fresno. Under this particular Ordinance the applicant herein was authorized to construct and operate a single or double track street railway subject to the terms and conditions and for the period prescribed in Fresno City Ordinance 864, along and upon certain designated streets, to-wit:

"Upon McKenzie Avenue from the intersection with Fresno and McKenzie Avenues, east along and upon said McKenzie Avenue to the west property line of Ninth Street and McKenzie Avenue, or what is now the east line of the City limits of said City of Fresno; and upon Fresno Avenue from the south property line of Fresno and Belmont Avenues north to the south property line of Olive Avenue, or to the edge of the City limits of said City of Fresno."

By Franchise Ordinance 964 the said Fresno Traction Company was authorized to construct and operate its system over certain designated streets under certain terms and conditions, and a

a certificate of public convenience and necessity was granted by this Commission on May 3, 1922 (Decision No. 10,401, Application No. 7705) authorizing said Company to exercise its rights obtained thereunder. This present application, therefore, is made to enable the Company to extend its lines and service over the above described streets, designated in Ordinance 986.

A public hearing in the matter was held before me in San Francisco on February 11, 1926, at which time testimony, oral and documentary, was introduced. It appears therefrom that public convenience and necessity warrant the granting of the desired certificate, and the order will so provide.

ORDER

Fresno Traction Company having made application to this Commission for a certificate of public convenience and necessity authorizing it to exercise the rights and privileges granted to it by the City of Fresno under Ordinance 986, a public hearing having been held, and testimony having been taken, and the matter having been submitted and now being ready for decision,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the exercise by Fresno Traction Company of the rights, privileges and franchise granted to it by Fresno City Ordinance 986, and

IT IS HEREBY ORDERED that a certificate of public

convenience and necessity is granted to the Fresno Traction Company to exercise the rights, privileges and franchise granted by said City of Fresno by Ordinance 986.

The effective date of this Order shall be twenty (20) days from date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 14th day of March, 1927.

Emmert
H. B. Bourdige
Chas. A. ...
Leon ...
Wm. ...
Commissioners