

Decision No. 18275

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
 W. C. LAWRENCE and GILBERT ESTES,)
 co-partners, for a certificate of)
 public convenience and necessity)
 authorizing the operation of auto-) Application No. 12891
 motive stage service for the trans-)
 portation of passengers and express)
 between Susanville and Alturas and)
 intermediate points in the State of)
 California.)

Chas. A. Beck, for Applicant.
 A. A. Jones, for Southern Pacific Company.
 J. H. Mahan, for Nevada-California-Oregon Railway.
 Ben Curler, for Susanville-Klamath Falls Stage Co.

BY THE COMMISSION:

O P I N I O N

W. C. LAWRENCE and GILBERT ESTES, co-partners, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile stage line as a common carrier of passengers and express between the cities of Susanville and Alturas, serving Johnsonville, Standish, Litchfield, Raven-dale, Thermo, Madeline, Lively and intermediate points.

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

Applicant proposes to charge rates and to operate a time schedule in accordance with Exhibits "A" and "B" at-tached to said application. Applicant proposes to use in

the operation of said service seven-passenger Big Six Studebaker automobiles and any additional equipment, as traffic conditions may necessitate.

Nevada-California-Oregon Railway, Southern Pacific Company and American Railway Express Company protested the granting of said application.

The evidence shows that the proposed stage line will afford a through, faster and more direct service between Susanville and Alturas than the existing rail route. Under the time schedules as proposed, applicants' stage will leave Susanville daily at 9:00 a.m., arriving at Alturas at 3:00 p.m., and will leave Alturas daily at 9:30 a.m., reaching Susanville at 3:30 p.m. The time schedules of the present rail carriers show that a north-bound passenger using the rail service is obliged to take the Southern Pacific train at Susanville at 4:00 p.m. to Wendel, a junction point with the Nevada-California-Oregon Railway, remain there over night and take the train of the Nevada-California-Oregon Railway for Alturas at 11:30 a.m., arriving at 5:20 p.m., thereby consuming nearly 26 hours on the north-bound journey; and the south-bound trip consumes about the same period of time.

The testimony shows that the existing rail service is very unsatisfactory, not only to the merchants and business men of Susanville, but also to many representative business men at Alturas.

The Susanville Business Men's Association, after a meeting called for the purpose, unanimously endorsed the proposed stage service of applicants. Members of this association testified at the hearing that the merchants of Susanville do considerable business at many of the intermediate points, and their

patrons frequently complained to them of the slow and often delayed arrival of goods and merchandise shipped over the rail service.

The Retail Druggists of Susanville complained of the slow deliveries of drug prescriptions, particularly in reference to occasions of severe illness, and strongly favored the need of a short and direct stage line between Susanville and intermediate points.

The local representative of the Mount Lassen Stage Company at Susanville testified to the effect that he has frequent requests from drummers, laborers and other travelers, for stage transportation to Alturas and intermediate territory; that the present rail service was unsatisfactory to the citizens of Susanville, and that a stage service would be well patronized.

The General Manager of the Susanville Telephone Company testified that he had held interviews with several representative business men at both Alturas and Susanville, all of whom favored the stage line; that the Telephone Company desired the stage service for the transportation of laborers and linemen, as well as for shipments of small packages, consisting of telephone equipment used in its service along the proposed route.

The Traffic Manager of the Nevada-California-Oregon Railway appeared as a witness on behalf of this protestant, but offered no other evidence in opposition to the proposed service. This witness testified, as herein above indicated, as to the time schedules and train service between Susanville and Alturas. No offer, however, was made by this witness to improve or expedite in any way the present rail service, but it was suggested that the stage service might be authorized as far as Ravendale, an intermediate point on the rail line of the Nevada-California-Oregon Railway, distant 60 miles from Alturas, where a transfer

point could be made by the rail and stage service, but this proposal was not acceptable to the applicants.

We have carefully considered all the evidence in this proceeding, and are of the opinion, and hereby find as a fact, that public convenience and necessity require the proposed service of applicants, and that the application should be granted.

O R D E R

A public hearing having been held in the above-entitled proceeding, the matter having been duly 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 W. C. LAWRENCE and GILBERT ESTES, co-partners, of an automobile stage line as a common carrier of passengers and express between the cities of Susanville and Alturas, serving Johnsonville, Standish, Litchfield, Ravendale, Thermo, Madeline, Lively, and intermediate points.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and the same is hereby granted to W. C. LAWRENCE and GILBERT ESTES, co-partners, for the operation of the service hereinabove described, subject to the following conditions:

1. Applicants shall file their written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from the date hereof.
2. Applicants 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 tariff 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 applicants herein unless such vehicle is owned by said applicants or is leased by them 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 26th day of April, 1927.

Ernest L. ...
W. B. ...
C. ...
Leon ...
Thos. ...
Commissioners.