

Decision No. 18280

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CALIFORNIA TRANSIT CO., a corporation,)
 KERN COUNTY TRANSPORTATION CORPORATION,)
 a corporation, and BOYD & MATTLY, a co-) Application
 partnership, to enter into an agreement) No. 13695
 to lease operative rights between)
 Greenfield and Taft, and of such lessees)
 to re-route a portion of its service)
 between Bakersfield and Taft.)

BY THE COMMISSION -

OPINION and ORDER

In this proceeding California Transit Co., a corporation, and Kern County Transportation Corporation (incorporated), and Walter Boyd and G. Mattly, co-partners, operating under the name of Boyd & Mattly Stage Company, ask for an order of the Commission ratifying and approving an agreement, a copy of which is attached to the application herein and made a part thereof, under the terms which California Transit Co. leases to Kern County Transportation Corporation and Boyd and Mattly an operating right for an automobile service for the transportation of passengers and express between Taft and Greenfield. Boyd & Mattly and Kern County Transportation Corporation, each of whom is now operating an auto stage line between Bakersfield and Taft by way of Panama, ask, in addition, that they be authorized to re-route certain of their schedules covering service between Bakersfield and Taft, via Greenfield.

California Transit Co., operates an auto passenger and express service between Los Angeles and Bakersfield and Los Angeles and Taft, both operations being via Greenfield. In leasing the Greenfield-Taft right California Transit Co. expressly reserves unto itself all rights to operate between Bakersfield and Los Angeles, via Greenfield, including service to and from all inter-

mediate points. The agreement with Kern County Transportation Corporation and Boyd & Mattley further provides that the lessees must make direct schedule connections with at least four northbound schedules of California Transit Co. and at least four connections with the southbound schedules of that company, said connections to be made at Greenfield.

Boyd & Mattley and Kern County Transportation Corporation, under authority of this Commission, operate locally between Bakersfield and Taft, via Panama. Under the leasing arrangement herein proposed they will meet certain schedules of California Transit Co. at Greenfield and there deliver to or receive from California Transit Co. such traffic as is destined to or originates in Taft and territory intermediate between Taft and Greenfield. Boyd & Mattley and Kern County Transportation Corporation now operate seven round trips daily between Bakersfield and Taft, via Panama. They propose to operate at least four of these schedules via Greenfield to take care of California Transit Co. traffic, thus obviating any necessity for the establishment of a stub line between Greenfield and Taft. Operation via Greenfield by Boyd & Mattley and Kern County Transportation Corporation, as proposed herein, will not enlarge the operating right under which each is now operating between Taft and Bakersfield via Panama. They will not serve any new points except such as are now served by California Transit Co. under authority of the operating right herein proposed to be leased. The Greenfield detour operation is to be performed only during the life of the proposed lease.

In support of the proposed leasing and operating arrangement applicants point out -

- 1- That the changes requested in the operation of the several companies will effect an economy in operation without detriment to the public.
- 2- That no change will be made in the existing fares over either route between Bakersfield and Taft or to other points.

3- That the distance between Bakersfield and Taft via Panama and via Greenfield is nearly the same, the Greenfield route being approximately two miles longer, but road conditions are such that there will be practically no difference in time.

4- That the stages of Kern County Transportation Corporation and Boyd & Mattly have continuously had vacant seats on their schedules, sufficient to accommodate all of the passengers that are expected to be delivered to them at Greenfield under the terms of the agreement, or to carry to Greenfield for delivery to California Transit Co.'s lines as specified therein.

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.

IT IS HEREBY ORDERED that the above entitled application be and the same hereby is granted, subject to the following conditions:

1- The consideration to be paid for the property herein authorized to be leased shall never be urged before this Commission or any other rate fixing body as a measure of value of said property for rate fixing, or any purpose other than the transfer herein authorized.

2- Applicants Kern County Transportation Corporation and Boyd & Mattly and California Transit Co. shall immediately file tariffs in conformity with the provisions of Paragraph 10 as shown in the lease agreement attached to and made a part of the application herein.

3- Applicant California Transit Co. shall immediately withdraw time schedules filed in its name with the Railroad Commission, and applicant Kern County Transportation Corporation and Boyd & Mattly shall immediately file, in duplicate, in its and their own names, time schedules covering service heretofore given by applicant California Transit Co. between the points served under operating right, the leasing of which is herein authorized, which time schedules shall show service given by Kern County Transportation Corporation and Boyd & Mattly over both old and new routes.

4- The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

5- No vehicle may be operated by applicants Kern County Transportation Corporation and Boyd & Mattly unless such vehicle is owned by said applicants or is leased by it and them under a contract or agreement on a basis satisfactory to the Railroad Commission.

6- Permission granted herein to re-route certain schedules via Greenfield shall not be considered by Kern County Transportation Corporation and Boyd & Mattly as authority to permanently establish said service; re-routing is permitted solely for the purpose of the lease approved herein.

Dated at San Francisco, California, this 26th day of April, 1927.

Ernest W. Scott
H. B. Brundage
Chas. S. Sweeney
Leon White
Thos. J. Roetter
COMMISSIONERS.