

Decision No. 19735.**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CALIFORNIA TRANSIT CO., a corpora-)
 tion, for a certificate of public)
 convenience and necessity to con-)
 solidate certain operative rights)
 and establish new rates, rules and)
 regulations governing the transpor-)
 tation of persons, baggage and ex-)
 press in connection with the opera-)
 tion between Hanford and Corcoran)
 acquired from Joseph Miller under)
 Decision No. 16093.)

Application No. 12658.

BY THE COMMISSION:

O P I N I O N

This is an amended and supplemental application of the California Transit Company, a corporation, for authority to consolidate and unify all of the operative rights acquired from Joseph Miller with the present unified transportation system of applicant and in the operation thereof to adopt the rules and regulations governing the transportation of persons, express and baggage and the zone basis of express rates, as authorized in Application No. 11005, Decision No. 18107, dated March 28, 1927.

The operative rights of Joseph Miller for the transportation of passengers and express between Fresno, Hanford, Visalia and Lemoore and intermediate points and between Hanford and Corcoran exclusive of local service between Fresno and Fowler were acquired by the California Transit Company in Application No. 12566, Decision No. 16093, dated March 8, 1926. The restriction between Fresno and Fowler was the result of a reservation due to competition by the Valley Transit Company at the time an exchange

of operative rights was authorized in Application No. 9849, Decision No. 13692, dated June 12, 1924. However, in Application No. 10687, Decision No. 14881, May 2, 1925, the California Transit Company acquired the operative rights of the Valley Transit Company, which included the local service between Fresno and Fowler, therefore there is now no further need for the prohibition as to the carrying of passengers between these points.

The original application here under consideration requested permission to establish interdivision fares and rules and regulations between all points served by the Joseph Miller lines and all points served by the consolidated lines of the applicant, and to consolidate these rights and eliminate the restriction on the Joseph Miller lines against the transportation of passengers between Fresno and Fowler. At the time this petition was filed, March 22, 1926, applicant had pending before the Commission Application No. 11005, in which authority was sought to merge certain of its lines, establish through services, extend operative rights, correct fares, and adopt a standard form of rules and regulations, including a zone basis of express rates. Following our Decision No. 18107 dated March 28, 1927, in the latter proceeding (affirmed on rehearing by Decision No. 19691, dated May 2, 1928), wherein we authorized the California Transit Company to consolidate certain of its operative rights and to establish uniform rules and regulations and the zone system of express rates, applicant filed April 13, 1927, a supplemental application in the instant proceeding seeking authority to establish on the Miller lines these same rules, regulations and basis for establishing express rates that were authorized to apply on other portions of its system by our decision just referred to.

The benefits of consolidation resulting in superior service to the public and economy of operation, as well as the

advantages of uniform rates, rules and regulations, were discussed at length in Application No. 11005 and need not be further referred to in this proceeding.

Upon consideration of all the facts of record we are of the opinion that a public hearing is not necessary and that the application should be granted.

O R D E R

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the consolidation and unification of the operative rights acquired from Joseph Miller with the unified system of the California Transit Company and also the adoption of the uniform rules and regulations and the zone basis of express rates as authorized in Application No. 11005, Decision No. 18107.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to applicant, California Transit Company, a corporation, for the operation of the service described in the preceding paragraph.

IT IS HEREBY FURTHER ORDERED that the restriction in the operative rights acquired from Joseph Miller for the transportation of passengers between Fresno and Fowler be and the same is hereby cancelled.

Dated at San Francisco, California, this 9th day of May, 1928.

Leon Whitall
C. J. [unclear]
Edward [unclear]
Thos. D. [unclear]
W. H. [unclear]
Commissioners.