

GE

DECISION No. 22717

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 SAN JOAQUIN & EASTERN RAILROAD COMPANY,
 a Corporation, for a Certificate of
 Public Convenience and Necessity to
 Operate Motor Vehicles for the Car-
 riage of Passengers, Express and
 Freight Between Fresno, California,
 and Big Creek and Huntington Lake,
 California, and Intermediate Points
 and Points Beyond, in Lieu of its
 Present Operative Rights.

Application No. 16743

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

This is an application by San Joaquin & Eastern Rail-
 road Company, a corporation, for an order of the Railroad Com-
 mission granting it a certificate of public convenience and
 necessity to operate an automobile service for the transporta-
 tion of passengers, baggage, freight and express between
 Fresno and Florence Lake and Camp 80 and all intermediate
 points over and along the following routes:

- a. Between Fresno and Clovis, via Blackstone and Shaw Avenues, thence via Academy, Humphreys, Toce House and Pine Ridge, thence over the main highway to Florence Lake, via Big Creek and Huntington Lake, serving Camp 80 by diversion, and
- b. Between Clovis and Pine Ridge, via Sharpville, Grabners, Prather, Old Auberry and New Auberry, thence as set forth in Route "A".

Applicant proposes to charge rates and to give ser-
 vice in accordance with tariffs, copies of which marked Ex-
 hibits B, C and D, are attached to the application herein
 and made a part thereof. Exhibit A, also attached, is a map
 showing routes to be followed.

Applicant recently purchased from W. R. Miles, with the approval of the Railroad Commission (Decision No. 22239, on Application No. 16353) operating rights for the service for which certificate is herein sought. Because of ambiguities in the rights acquired from Miles, and certain imperfections which militate against the performance of a service alike over the entire system, applicant seeks a certificate in lieu of the old Miles rights.

We are of the opinion that in view of the fact that no other carrier is affected by the minor changes proposed and that the public interest has been conserved, the application should be granted. It does not appear to be a matter in which a public hearing is necessary.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by San Joaquin & Eastern Railroad Company, a corporation, of an automobile service for the transportation of passengers, baggage, freight and express between Fresno and Florence Lake, serving Camp 80 by diversion, and all intermediate points, said service to be performed over and along the following routes:

a. Between Fresno and Clovis, via Blackstone and Shaw Avenues, thence via Academy, Humphreys, Toce House and Pine Ridge, thence over the main highway to Florence Lake, via Big Creek and Huntington Lake, serving Camp 80 by diversion, and

b. Between Clovis and Pine Ridge, via Sharpville, Grabners, Prather, Old Auberry and New Auberry, thence as set forth in Route "A".

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be, and the same is hereby granted to San Joaquin & Eastern Railroad Company, a corporation, said certificate to be in lieu of and not in addition to certificates and operating rights acquired by applicant from W. R. Miles under authority of Decision No. 22239.

IT IS HEREBY FURTHER ORDERED that the in lieu certificate herein granted shall be subject to the following conditions:

1. That the service between Fresno and Big Creek shall be given daily, the year around.
2. That the service between Big Creek and Camp 60 shall also be daily, but seasonal, approximately between June 1st and September 30th of each year.
3. That the service between Huntington Lake and Florence Lake and Camp 80 shall be seasonal, approximately from July 1st to September 15th, and shall be performed tri-weekly, with the right to discontinue service beyond Camp 60 unless reservations have been made.
4. That all points within one mile on either side of the highway between Shaver Lake and Camp 60 may be served.

IT IS HEREBY FURTHER ordered that said in lieu certificate shall be subject to the following further conditions:

- a. That applicant shall within fifteen days from the date hereof file an acceptance of the certificate herein granted, which acceptance shall contain a statement that said certificate is accepted as a certificate in lieu of certificates and operating rights acquired by applicant from W. R. Miles under authority of Decision No. 22,239.

b. That applicant shall establish the fares, rates, rules and regulations shown in Exhibits B, C and D and authorized by the Commission's authorization Nos. 63-7735, 15-14518, G.O. 80-20-1111, G.O. 80-20-1112, G.O. 80-21-803 and G.O. 80-21-804, dated July 22, 1930, in lieu of the fares, rates, rules and regulations in applicant's tariffs now on file with the Commission.

c. That applicant shall include in said tariff rates, rules and regulations for service to off-highway points, which said rates, rules and regulations be satisfactory to the Railroad Commission.

d. That applicant shall publish time schedules identical with time schedules now on file in its name with the Railroad Commission or time schedules satisfactory to the Railroad Commission.

e. That 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.

f. That no vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it 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 25th
day of July, 1930.

[Signature]
[Signature]
[Signature]
Commissioners