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Decision No. 10306

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
L. B. O'ROURKE for certificate of )  
public convenience to operate auto- :  
mobile stage service for the trans- : Application No. 7721  
portation of persons and property )  
between Blairsden and Johnsville, :  
California. :

BY THE COMMISSION,

O R D E R

In this proceeding L. B. O'Rourke petitions the Railroad Commission for a certificate authorizing the operation of an automobile stage line as a common carrier of passengers and freight between the town of Blairsden and Johnsville, California.

Applicant states in support of his petition that he has been awarded the contract for the transportation of United States Mail between the points above named for a four year period beginning July 1st, 1922; that at the present time there is no authorized public carrier between the points named, passengers and freight having heretofore been transported by one A. P. Swingle, the retiring mail contractor, the said A. P. Swingle never having obtained a certificate authorizing the operation of an automobile stage line for the transportation of passengers and freight, nor having at any time filed with this Commission tariff of rates or time schedules covering such service as required by General Order No. 51.

Applicant further states that he has been advised that said A. P. Swingle intends to discontinue service entirely on June 30th, 1922, the expiration date of his existing contract for the trans-

portation of mail.

In view of the above conditions, 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.

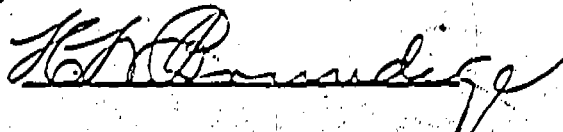
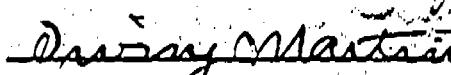
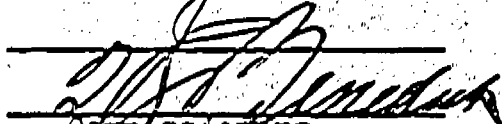
THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by L. B. O'Rourke of an automobile stage line as a common carrier of passengers and freight between Blairsdon and Johnsville and that a certificate of public convenience and necessity be, and the same hereby is granted, subject to the following conditions:

1. That applicant shall file within a period of not to exceed ten (10) days from date hereof, his written acceptance of the certificate herein granted and shall file within a period of not to exceed thirty days (30) from date hereof, in duplicate, tariff of rates and time schedules in accordance with the provisions of General Order No. 51 of the Railroad Commission, such tariff of rates and time schedules to be identical with the tariff of rates and time schedules as shown in Exhibits attached to the application herein; service to commence not later than July 1st, 1922.

2. The operative rights and privileges herein granted shall 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.

3. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 12th day of April, 1922.

  
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Commissioners