

Decision No. 10307

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-
portation of persons and property
between Quincy and La Porte, Calif.

) ORIGINAL
:
) Application No. 7722
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)

BY THE COMMISSION,

ORDER

In this proceeding L. B. O'Rourke doing business under the fictitious name of Quincy-La Porte Stage Line, has made application to the Railroad Commission in which he petitions for a certificate of public convenience and necessity authorizing the operation of an automobile stage line as a common carrier of passengers and freight between Quincy and La Porte serving as intermediate points Gibsonville, Onion Valley and Nelson Point.

Applicant states in support of his petition that he has been awarded the United States Mail contract between the points hereinabove named for a period of four years beginning July 1st, 1922, and under such contract he is obliged to operate a daily round trip service carrying United States Mail, in addition to which he proposes to transport passengers and freight.

Applicant states in his petition that passengers and freight are at the present time being transported by one A. H. Gould, the present mail contractor. This operation, however, is in violation of the provisions of Chapter 213, Statutes of

1917, as amended, in that said A. H. Gould has never secured from this Commission a certificate authorizing the operation of passenger or freight service between the points hereinabove named, nor has he ever filed tariff of rates and time schedules covering such service. Applicant further states that it is his belief that said A. H. Gould intends to discontinue service entirely at the expiration of his contract on June 30th, 1922.

In view of the above circumstances, 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 Quincy and La Porte serving as intermediate points Gibsonville, Onion Valley and Nelson Point, and 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 (30) days 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 rights and privileges hereby granted 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.

3. No vehicle may be operated by applicant O'Rourke 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.

H. B. Bonding

David M. Martin

J. H. Bonding
Commissioners