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Decision No. 10469

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of)
WM. ALLEN for certificate of public)
convenience and necessity to operate : Application No. 7524
passenger and express service between)
Santa Maria and Sisquoc.)

Fred A. Schaffer for Applicant
J. W. Sims for Pacific Coast Rwy Co.

BY THE COMMISSION,

O P I N I O N

In this proceeding Wm. Allen has made application to the Railroad Commission in which he petitions for a certificate of public convenience and necessity to operate an automobile stage line as a common carrier of passengers and express matter between Santa Maria and Sisquoc, California.

A public hearing in the above entitled application was held before Examiner Satterwhite on April 14th, 1922, at Santa Maria at which time the matter was submitted and it is now ready for decision.

Applicant proposes to operate three round trips each day, using one Buick five passenger automobile and to charge a passenger rate of 75 cents in either direction. He also proposes to transport packages, charging a minimum rate of 25 cents for packages weighing under ten pounds

with a maximum weight of 100 pounds, packages over ten pounds to be accepted only at the option of the carrier when suitable space is available.

The Pacific Coast Railway, operating one train twice a week between the points herein proposed to be served appeared at the hearing herein, through its superintendent, but offered nothing in opposition to the granting of the application as herein proposed.

The granting of this application will not in effect establish an additional stage transportation service between the points herein above mentioned, but was filed by applicant Allen for the purpose of straightening out title to and securing lawfully an existing stage operation heretofore conducted by a co-partnership composed of Westmoreland and Thornberg. Due to a misunderstanding as regards the provisions of Chapter 213, Statutes of 1917, as amended, the title of the previous operators to the operative right between Santa Maria and Sisquoc was more or less involved due to no intentional action on their part and Mr. Westmoreland, who has heretofore operated a stage line between these points appeared at the hearing, withdrew in favor of applicant Allen and endorsed his proposed service.

In view of the above circumstances, we are of the opinion that this application should be granted.

ORDER

A public hearing having been held in the above entitled proceeding, evidence submitted and the Commission being fully advised,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Wm. Allen of an automobile stage line as a common carrier of passengers and express between Santa Maria and Siskiyou, subject to the following conditions:

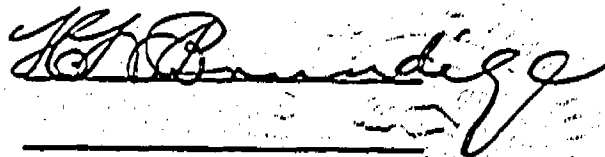
1. That applicant Wm. Allen shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof and shall file, in duplicate, his tariff of rates and time schedules, within a period of not to exceed twenty (20) days from date hereof, such tariff of rates and time schedules to be identical with the tariff of rates and time schedules filed as Exhibits "A" and "B" attached to his application, with the exception that express tariff shall provide for the transportation of express matter, no single consignment from one consignor to one consignee to exceed 100 pounds in weight.



2. That the rights and privileges herein authorized 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. That no vehicle may be operated by applicant Wm. Allen unless such vehicle is owned by him or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this

17th day of May, 1922.





Commissioners