

Decision No. 11317

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 H. D. ROCHEVILLE, doing business under)
 the name of INTERSTATE AUTO TOURS STAGE)
 COMPANY, for certificate of public conveni-)
 ence and necessity to operate passenger) Application No. 8427
 and hand-baggage service between Los)
 Angeles or San Francisco, California, and)
 Portland, Oregon, or Seattle, Washington.)

BY THE COMMISSION,

ORDER OF DISMISSAL

In this application H. D. Rocheville, doing business under the fictitious name of Interstate Auto Tours Stage Company, applies to the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of an automobile stage line for the transportation of passengers and hand-baggage between Los Angeles or San Francisco, California, and Portland, Oregon, or Seattle, Washington, with no service between intermediate points.

The application expressly recites that the service proposed is for through passengers only and that no passengers will be booked or carried locally between any intermediate points within the State of California, but solely between either Los Angeles or San Francisco on the one hand and Portland, Oregon, or Seattle, Washington on the other.

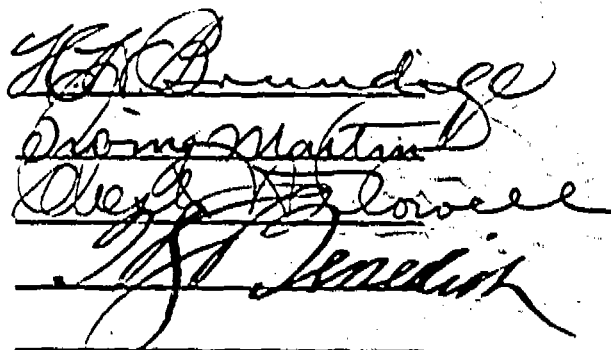
Section 9 of Chapter 213, Statutes of 1917, as amended, provides:

"Neither this act nor any provision thereof shall apply or be construed to apply to commerce with foreign nations or commerce among the several states of this union, except in so far as the same may be permitted under the provisions of the constitution of the United States and the acts of congress."

It would appear from the service herein proposed by applicant that he intends solely to operate an interstate transportation service and not to engage in any manner whatsoever in transportation of passengers or baggage between two points, both of which are located within the State of California. Accordingly, we believe that under the provisions of Section 9 hereinabove quoted, that no certificate of public convenience and necessity is required from this Commission for operation as herein proposed and that the application should be dismissed.

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is dismissed.

Dated at San Francisco, California, this 5th day of December, 1922.



Commissioners