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Decision No. 11499.

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
J. C. REYNOLDS for certificate of)
public convenience and necessity to :
operate passenger and baggage service) Application No. 3733
between Lakeport via Bartlett Landing)
and Bartlett Springs.)
:
)

BY THE COMMISSION,

SUPPLEMENTAL ORDER

On May 6, 1918 applicant herein, J. C. Reynolds, made application to the Railroad Commission in which he asked for a certificate of public convenience and necessity authorizing the operation of an automobile passenger and baggage service between Lakeport and Bartlett Springs via Bartlett Landing, California. Applicant proposed at the time to operate a gasoline launch from Lakeport to Bartlett Landing and automobile passenger stages from Bartlett Landing to Bartlett Springs.

On March 11, 1920, under Decision No. 7246 the Railroad Commission issued its ex parte order on the representation set out in the above entitled application, in which order J. C. Reynolds was granted a certificate of public convenience and necessity authorizing him to engage in the transportation of passengers and baggage by gasoline launch from Lakeport to Bartlett Landing and by automobile passenger stages from Bartlett Landing to Bartlett Springs.

On December 26, 1922, J. C. Reynolds filed a joint application with the Lake County Automobile Transportation Company,

being Application No. 8522 in which the applicants petition the Railroad Commission for an order authorizing the transfer of the certificate of public convenience and necessity heretofore issued under Application No. 3733 from Reynolds to the Lake County Automobile Transportation Company.

From written information now in possession of the Railroad Commission it appears that the road running from Bartlett Landing to Bartlett Springs is a private toll road and not a public highway as defined in Section 1, sub-section "d" of Chapter 213, Statutes of 1917, and amendments thereto, and accordingly, a road over which this Commission has no jurisdiction to either grant or deny certificates of public convenience and necessity under the above numbered statutory enactment.

It further appears from information in possession of the Railroad Commission that said J. C. Reynolds has abandoned the operation of the gasoline launch between Lakeport and Bartlett Landing, and has, in violation of the provisions of Chapter 213, Statutes of 1917, as amended, operated his automobile stages between Bartlett Landing and Upper Lake, Lake County, California, a public highway over which he holds no certificate of public convenience and necessity authorizing him to operate automobile stages as a common carrier of passengers or baggage.

In view of the foregoing, we are of the opinion that the certificate of public convenience and necessity heretofore issued to said J. C. Reynolds under Decision No. 7246 should be revoked and annulled, and good cause appearing,

IT IS HEREBY ORDERED that Decision No. 7246, dated March 11, 1920, in the above entitled application be, and the same hereby is revoked and annulled.

Dated at San Francisco, California, this 12th day of January, 1923.

C. J. Stearns
Irving Martin

Egerton Shore
J. H. Whitney
Commissioners