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Decision No. 11502

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
B. L. HALVERSON, operating under the)
fictitious name of MODESTO-LA GRANGE :
STAGE between Modesto and La Grange)
and between La Grange and Don Pedro :
Bar, as a common carrier of freight) Application No. 8128
and passengers, for a certificate of :
public convenience and necessity to :
operate the above named divisions)
as a through service from Modesto to :
Don Pedro Bar and intermediate points, :
via La Grange.

BY THE COMMISSION,

SUPPLEMENTAL ORDER

In this proceeding B. L. Halverson files an application with 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, baggage, express and freight between Modesto, La Grange, Don Pedro Bar and certain intermediate points.

Applicant at the present time holds some four certificates covering sectionally all of the route proposed to be served and the present application is being made for the purpose of consolidating these separate certificates so as to enable applicant to give a through service in accordance with the rulings established by the Commission under Decision No. 9892.

A check of the operative rights held by applicant shows that under Decision No. 8528 in Application No. 6468, applicant secured from one E. G. Cadrett by transfer, an operative

right authorizing the operation of an automobile stage line as a common carrier of passengers, baggage and express between Modesto and La Grange, serving as intermediate points, Empire, Half Way House, Newhope, Hinman's Ranch, Waterford, Dallas Ferry, Roberts Ferry and Bassos. This operative right was originally obtained by Cadrett through an order authorizing its transfer from the Star Auto Stage Association, Decision No. 7795 in Application No. 5162.

Under Decision No. 8610 in Application No. 6511 dated February 5, 1921, applicant secured a certificate of public convenience and necessity authorizing the operation of an automobile truck line as a common carrier of freight between Modesto and La Grange and intermediate points over the following route:

Commencing at Modesto, thence to Empire, thence to Half Way House, thence to New Hope, thence to Hinman's Ranch, thence to Waterford, thence to Dallas Reservoir, thence to Roberts Ferry, thence to Bassos, and thence to La Grange.

Under Decision No. 8707 in Application No. 6469 applicant herein was granted a certificate of public convenience and necessity authorizing the operation of an automobile stage line as a common carrier of passengers only between La Grange and Don Pedro Dam. Under Decision No. 9320 in Application No. 6921 applicant secured a certificate of public convenience and necessity authorizing the operation of an automobile truck line as a common carrier of freight between La Grange and Don Pedro Dam.

Applicant having secured at separate times certificates declaring that public necessity require the operation of either automobile passenger or truck service between separate points herein proposed to be consolidated and there being at the present time no through service which would be interfered with through the operation by applicant as herein proposed, we are of the opinion that the present application should be granted with the distinct understanding that in granting a blanket certificate of

public convenience and necessity covering the points now served by applicant, the Commission in no way grants to applicant a separate and distinct operative right in addition to the individual operative rights now held by him, but that in accepting and operating under the certificate herein granted, it is with the understanding that individual certificates now held are revoked and annulled.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by B. L. Halverson of an automobile stage line as a common carrier of passengers, baggage, express and freight between Modesto, La Grange and Don Pedro Bar and intermediate points now served by said applicant.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and the same hereby is granted subject to the following conditions:

1. Applicant shall file within a period of not to exceed ten (10) days from date hereof his written acceptance of the certificate herein granted, such written acceptance to be in accordance with the pronouncement hereinabove mentioned; and shall file within a period of not to exceed twenty (20) days from date hereof, in duplicate, tariff of rates and time schedules, such tariff of rates not to exceed either present established through rates or combination of local rates at present in effect over the route now being operated.

2. The 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.

IT IS HEREBY FURTHER ORDERED that Decision No. 11225 in the above entitled proceeding be, and the same hereby is revoked and annulled, and

IT IS HEREBY FURTHER ORDERED that certificates of public convenience and necessity held by applicant under Decision No. 8528 in Application No. 6468, Decision No. 8610 in Application 6511, Decision No. 8707 in Application No. 6469 and Decision No. 9320 in Application No. 6921 be, and the same hereby are revoked and annulled immediately upon acceptance by applicant of the certificate herein granted.

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

Clifford H. Haverly
Davidson Martin
Egerton Shaw
Commissioners