

Decision No. 11533

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application  
of Leo F. Morrell for Certificate  
of Public Convenience and Necessity  
to Operate Passenger and Freight  
Automobile Service between Corning and  
Paskenta. )

APPLICATION NO. 8123.

Leo F. Morrell In Propria Persona.

BY THE COMMISSION:

O P I N I O N

This is an application on behalf of Leo F. Morrell under the provisions of Section 5, Chapter 213, Statutes of the State of California as approved May 10, 1917 and as amended, for a certificate of public convenience and necessity to operate an automobile service for the transportation of passengers and freight between Corning and Paskenta.

The route to be traversed will serve as intermediate points Henleyville, Flournoy and Paskenta, the farthest distant point being 24½ miles west of Corning.

A public hearing on the application was held at Corning on January 11, 1923 before Examiner Geary, and the matter having been duly submitted is now ready for a decision.

The applicant has a contract with the United States Government to carry the mail for the next four years, or until June 30, 1926.

and desires by this application authority to establish a passenger and freight service in connection with said contract.

The equipment to be employed consists of one commercial car, having a seating capacity sufficient to accommodate six passengers, and a freight capacity of 1500 pounds. The schedule contemplated will be daily except Sunday, leaving Paskenta at 8 a.m. and on the return trip leaving Corning at 3:30 p.m.

The territory to be served is but sparsely settled and, according to the testimony furnished, only an average of one passenger and 400 pounds of freight per day are carried and were it not for the mail contract the service could not be maintained at a profit. There is now no service between the points in question and no one appeared in opposition to the application.

At the hearing the application was changed to cover only the passenger fares, baggage charges and freight rates, as per amended exhibit.

After giving consideration to the statements set forth in the application and to the testimony given at the hearing, we are of the opinion that there is a public convenience and necessity for the service and that the application should be granted.

#### O R D E R

Leo F. Morrell having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile passenger and freight service in connection with his U.S. Mail contract between Corning and intermediate points to and including Paskenta, a public hearing having been held, the matter having been duly submitted, and the Commission

being fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY  
DECLARES that public convenience and necessity require the establish-  
ment by this applicant of an automobile passenger and freight service  
in connection with his U.S. Mail contract service, between Corning and  
the intermediate points to and including Paskenta, and that a certif-  
icate of public convenience and necessity be and the same is hereby  
granted, subject to the following conditions:

1. Applicant herein shall file within a period of not to exceed ten (10) days from date hereof his written acceptance of the certificate herein granted; shall file within a period not to exceed twenty (20) days from date hereof tariff of rates and time schedules, such tariff of rates and time schedules to be identical with those filed as an exhibit and attached to the application herein, and shall commence operation of the service herein authorized within a period of not to exceed thirty (30) days from date hereof.
2. The rights and privileges herein authorized 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 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.

Dated at San Francisco, California, this 20<sup>th</sup> day of  
January, 1923.

*O'Seauey*  
*H. B. Bounding*  
*Owing Martin*  
*Egerton Shore*  
*J. T. Whittney*