

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of C. H. Cornelius for an order
declaring that public convenience
and necessity require the opera-
tion by him of two automobiles
as common carriers of passengers
and express packages between
Redwood City and Palo Alto.

ORIGINAL

Application No. 3082.

.....

C. H. Cornelius, in propria persona.

J. E. McCurdy for Peninsula Rapid Transit
Company, protestant.

Bishop and Bahler, by H. M. Wade, for
California Stages Company, protestant.

O. M. Spangler for Union Line, protestant.

H. M. Wade for Otto Rinckert and Floyd Hanchett,
protestants.

THELEN and GORDON, Commissioners.

O P I N I O N.

C. H. Cornelius makes application herein for an order
declaring that public convenience and necessity require the opera-
tion by him of two automobiles as common carriers of passengers
and express packages between Redwood City and Palo Alto.

Public hearings were held in San Francisco on Septem-
ber 7 and 21, 1917.

One of the two automobiles as to which Mr. Cornelius
desires the Railroad Commission's authorization is a five-passen-
ger Ford touring car, which he has operated between Redwood City
and Palo Alto from July 24, 1917, to the time of the hearing
herein. The other car is a Ford car on which he has built a
body seating fourteen passengers. This car Mr. Cornelius has
been operating since approximately August 15, 1917.

The first car has been operated on a daily schedule

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leaving Redwood City at 9:45 A.M., and running until 10 o'clock P.M. The second car has been operated primarily between Camp Fremont and Palo Alto. Mr. Cornelius intends to establish a regular schedule for this car as soon as conditions at Camp Fremont become more settled. Mr. Cornelius and the Andrus Taxi Service are the only automobile operators who have operated their automobiles up Santa Cruz Avenue from the State Highway to the point at which the camp is now located. While Mr. Cornelius operates the second car ordinarily between Camp Fremont and Palo Alto, he desires to have the right to operate it also from Camp Fremont to Redwood City.

The fares which Mr. Cornelius desires to charge are as follows:

Between Palo Alto and Menlo Park,.....	5¢
Between Palo Alto and the present camp at Camp Fremont, on Santa Cruz Avenue,	10¢
Between Palo Alto and Redwood City,.....	15¢
Between the present camp at Santa Cruz Avenue at Camp Fremont and Redwood City,.....	10¢

The Palo Alto terminus of Mr. Cornelius is near the Southern Pacific Depot, outside of the corporate limits of Palo Alto. The Redwood City terminus is at the depot of the Southern Pacific Company.

Mr. Cornelius has not secured a permit from the Counties of San Mateo and Santa Clara and the City of Redwood City, as provided by Section 3 of Chapter 213, Laws of 1917. He intends to make application promptly for such permits. The order herein will not become effective until the Railroad Commission has made a supplemental order herein reciting that such permits have been secured.

For a statement of the leading provisions of the Act of May 10, 1917, of the principles to be applied in applications of this character and of the automobile situation between San Francisco and Palo Alto, reference is hereby made to

the decision this day rendered in Application No. 3159, Santa Clara Valley Auto Line.

Mr. Cornelius commenced operations in good faith with both his cars prior to the effective date of Chapter 213, Laws of 1917. The operation of his cars fulfills a public need. As already indicated, he and one other operator are the only ones who operate up Santa Cruz Avenue to the present site of the camp at Camp Fremont. The other operators passing Camp Fremont all run on the State Highway at a distance of approximately one mile from the present location of the camp at Camp Fremont.

We find that public convenience and necessity require the operation by C. H. Cornelius of two automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City, on the conditions specified in the order herein.

We submit the following form of order:

O R D E R .

C. H. CORNELIUS having filed herein a petition asking that the Railroad Commission declare that public convenience and necessity require the operation by said Cornelius of two automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City, public hearings having been held, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY FINDS AS A FACT that public convenience and necessity require the operation by C. H. Cornelius of two (2) automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City, on the conditions hereinafter specified.

Basing its order on the foregoing finding of fact and on the other findings of fact contained in the opinion which

precedes this order,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by C. E. Cornelius of two (2) automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City, provided that this declaration shall not become effective until said Cornelius has secured from the Railroad Commission a supplemental order herein reciting that said Cornelius has filed herein certified copies of permits from the County of San Mateo, the County of Santa Clara and the City of Redwood City, as provided by Section 3 of Chapter 213, Laws of 1917; and, provided further, that the rights and privileges herein granted shall not be assigned or transferred unless the written consent of the Railroad Commission to such assignment or transfer has first been secured.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 26th day of September, 1917.

Max Thelen

H. D. Townsend

Alex Gordon

Edwin C. Edgerton

Francis R. Kirby

Commissioners.