

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application
of R. E. BRAKEY for certificate
of public convenience and neces-
sity to operate stage or truck
service between Ventura and Fill-
more.)
) Application No. 3277.
)

R. E. Brakey in propria persona.

BY THE COMMISSION:

O P I N I O N

R. E. BRAKEY applies for certificate that public convenience and necessity require him to operate an automobile passenger stage service between Ventura and Fillmore, a distance of about 26 miles, in Ventura County.

A public hearing in the matter was held by Examiner Westover at Ventura.

Applicant's proposed tariffs and schedule are as follows:

ONE WAY FARES

<u>Miles</u>	<u>Between Stations</u>	<u>Ventura</u>	<u>Santa Paula</u>
0	Ventura	---	
16	Santa Paula	.75	
26	Fillmore	1.00	.50

Packages and excess baggage will be carried at rate of three cents per pound; minimum charge 25 cents. No package or shipment weighing over 40 pounds will be handled by passenger

auto.

DAILY TIME SCHEDULE

<u>Read Down</u>		<u>Stations</u>		<u>Read up</u>	
P.M.	A.M.			A.M.	P.M.
2:00	8:00	Lv. Ventura	Arr.	10:45	4:45
2:45	8:45	" Santa Paula	"	10:00	4:00
3:10	9:10	Arr. Fillmore	Lv.	9:30	3:30

Southern Pacific Company operates two passenger trains each way daily between Ventura and Fillmore via Montalvo. Jess Beemer operates an automobile stage line between Fillmore and Oxnard via Santa Paula and Saticoy, the latter town being about one mile south of Mr. Brakey's route but not served by him. Mr. Beemer began operating prior to May 1, 1917. Schedules of the Southern Pacific Company and Mr. Beemer are shown below. Applicant's morning trip conflicts with Southern Pacific schedule. Making this round trip an hour and a half later would better serve the public.

SOUTHERN PACIFIC COMPANY

<u>Read Down</u>		<u>Read Up</u>			
8:05 A.M.	3:20 P.M.	Lv. Ventura	Arr.	11:30 A.M.	8:40 P.M.
		Montalvo	Lv.	11:20	
8:15	3:30	Montalvo	Arr.	10:05	8:25
8:53	4:03	Santa Paula		9:33	7:53
9:15 A.M.	4:25 Arr.	Fillmore	Lv.	9:15	7:35

JESS G. BEEMER AUTO STAGE

A.M.	P.M.		Fillmore	Arr.	12 M.	6:45
7:40	1:20	Lv.	Santa Paula		11:45	6:15
8:15	1:45		Saticoy		11:00	5:40
8:30	2:00		El Rio		10:40	5:25
8:45	2:20	Arr.	Oxnard	Lv.	10:30 A.M.	5:15

Apparently there is an error in Mr. Beemer's schedule as filed with the Commission, in that it does not show the time of leaving Fillmore.

Applicant operated between Ventura and Fillmore for about a month two round trips per day but not upon a fixed schedule, until he learned that he had no legal right to operate, upon which he stopped. During the time he operated, his gross receipts averaged \$5.00 to \$6.00 per day though he did no advertising. His patrons were largely traveling salesmen who by means of stage service could visit more towns in a day/^{than}when depending upon trains only. His average cost of operation he estimates was about \$4.00 per day including depreciation of 25% per year.

O R D E R

R. E. BRAKEY having filed herein a petition asking that the Railroad Commission declare that public convenience and necessity require the operation by said Brakey of one automobile as a common carrier of passengers and express packages between Ventura and Fillmore, both in Ventura County, and a public hearing having been held thereon and 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 R. E. Brakey of one automobile as a common carrier of passengers

and express packages between Ventura and Fillmore, on the conditions 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 R. E. Brakey of one automobile as a common carrier of passengers and express packages between Ventura and Fillmore, provided that this declaration shall not become effective until said Brakey has procured from the Railroad Commission a supplemental order herein reciting that said R. E. Brakey has filed herein certified copies of permits from the County of Ventura and the cities of Ventura, Santa Paula and Fillmore, as provided by Section 3 of Chapter 213, Laws of 1917, and also has filed ^{time} schedule satisfactory to the Commission; 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 procured.

Dated at San Francisco, California, this 7th day of November 1917.

Mar Helen

H. J. Boardman

Frank P. Dehn
Commissioners.