

Decision No. \_\_\_\_\_

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application  
of C. D. JUDD for a certificate  
of public convenience and neces-  
sity for the operation of an auto-  
mobile for passenger service be-  
tween the City of Sacramento and  
the City of Davis. ) Application No. 3292.

Forrest A. Plant for applicant.  
W. A. Latta for George Gentle, protestant,  
and Star Auto Stage Association.

BY THE COMMISSION:

O P I N I O N

Applicant herein requests that the Railroad Commission make its order declaring that public convenience and necessity require the operation by him of automobile stage service as common carrier of passengers between Sacramento and Davis, a distance of 12½ miles.

A public hearing was held by Examiner Westover at Sacramento.

This territory is now being served by the Southern Pacific Company, George Gentle Stage line between Sacramento and Davis, Gray Bros. operating stages between Sacramento and Woodland, via Davis, and Joe Griffin, operating stages between Sacramento and Winters via Davis. All charge 35¢ one way fare, the fare applicant proposes to establish.

There is frequent service between the points

in question, but none of the other carriers render service at the particular time proposed by applicant who is accommodating patrons that live in Davis and Swingle that go to Sacramento daily for business purposes.

Applicant has operated on his proposed schedule since about October 19th. On Saturdays and Sundays he has made an extra trip not on schedule but to suit the convenience of the public. For this additional service the 35¢ rate has been charged, when a full load offered.

During the time applicant has operated he has carried as few as 9 passengers per day and as many as 26, his average, including the extra trips, being 16 passengers per day.

Three passengers he carries to Sacramento regularly, two from Davis and one from Swingle Station about 4 miles east of Davis.

These three passengers come to Sacramento daily to their business. Applicant's present schedule furnishes the only means of transportation they have of reaching Sacramento in time for business. These passengers have moved to Swingle and Davis in reliance upon applicant's service.

These three passengers frequently or usually return home from Sacramento via train or other stage line.

Representative of the other stage lines operating over this route expressed the belief that the traffic does not justify arranging an earlier trip to care for such business as might be developed.

Mr. Gentle carries on 5 days a week an average of 18 passengers per day and about 24 passengers per day on Saturdays and Sundays.

The stages from Woodland and Winters very

frequently pass through Davis for Sacramento fully loaded. They do not cater to the local business, but naturally prefer the through business.

Mr. Gentle testified that he has on occasions failed to make some of his scheduled trips when his car was in the shop for repairs, although on other occasions to care for added passengers on Saturdays and Sundays he had hired extra cars for that purpose.

Applicant has not as yet secured permits from City of Sacramento and Davis nor from the County of Yolo as required by Section 3, Chapter 213, Laws of 1917, but same have been applied for. The order herein will not become effective until the Railroad Commission has issued a supplemental order herein reciting that such permits have been secured.

It would appear that there is public necessity for this proposed service and the application will be granted subject to the conditions contained in the following order.

#### O R D E R

C. D. JUDD having filed an application requesting that the Railroad Commission make its order declaring that public convenience and necessity require the operation by him of automobile stage service as common carrier of passengers between Sacramento and Davis, a public hearing having been held, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the operation by C. D. Judd of automobile stage service as common carrier of passengers between Sacramento and

Davis, provided that this declaration shall not become effective until said C. D. Judd has secured from the Railroad Commission a supplemental order herein, reciting that he has filed certified copies of permits from the City of Sacramento and Davis and the County of Yolo, as required by Section 3, 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, and

IT IS HEREBY ORDERED that no vehicle may be operated under this certificate unless such vehicle is owned by the applicant herein or is leased by such applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this  
27<sup>th</sup> day of November, 1917.

Max Thelen  
J. D. Loveland

Edwin O. Edgerton

Commissioners.