

Decision No. 11980

ORIGINAL

DECISION NO. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application	)	
of TOM PINKSTON and C. W. RAYPHOLTZ	)	
for certificate of public conven-	)	APPLICATION NO. 3338.
ience and necessity to operate	)	
automobile stage service between	)	
Piedra and Fresno.	)	

G. L. Aynesworth for Applicants.  
 H. R. Savage, City Attorney for  
 City of Sanger.  
 H.R.Savage for C. C. Allen of  
 Fresno-Sanger Auto Stage Line.  
 Jas. A. Burns for Calvin Marple,  
 Proprietor Arrow Auto Stage.

GORDON, Commissioner.

O P I N I O N

Tom Pinkston and C. W. Raypholtz, partners in business, have filed herein a petition asking that the Railroad Commission make its order declaring that public convenience and necessity require the operation by petitioners of an automobile stage line as a common carrier of passengers, packages and baggage between Fresno and Piedra in Fresno County.

A public hearing was held at Fresno on December 10, 1917, the matter was duly submitted and is now ready for decision.

Petitioners have been operating two automobiles as common carriers of passengers between Fresno and Piedra for a period of about sixty days. The Fresno terminus is at the Collins Hotel and the Piedra terminus at Piedra Bridge.

The equipment used by petitioners consists of two five-

passenger Ford automobiles, one a 1915 model licensed by the State Motor Vehicle Department under number 307018, the other a 1917 model for which license has been applied for.

The time schedule proposed by petitioners contemplates two round trips daily between Fresno and Piedra, serving the towns of Sanger and Centerville.

The fares proposed to be charged are as follows:

<u>ONE WAY FARES</u>				
MILES	BETWEEN	FRESNO	SANGER	CENTERVILLE
14	Sanger	\$0.50	—	—
20	Centerville	0.75	\$0.35	—
31	Piedra	1.50	1.00	\$0.50

Children under 5 years free; 5 to 10 years, half-fare.

Baggage: Thirty pounds baggage carried free.

Packages and excess baggage will be carried at rate of one cent per pound, minimum charge ten cents. No package or shipment weighing over one hundred pounds will be handled by passenger automobile.

It appears from the evidence in this proceeding that there is no automobile stage service between Fresno and Piedra and that the community at Piedra have no regular method of transportation other than the railroad service of the Atchison, Topeka and Santa Fe Railway branch line from Reedley to Piedra over which a mixed train is operated. Service between Sanger and Fresno is frequent and is cared for by three established lines which operate a total of 39 round trips between these points. The existing lines between Fresno and Sanger are not patronized to capacity and could handle additional business if same could be secured. I find as a fact that the operation of another stage line between Fresno and Sanger is not necessary for the convenience of the public.

Between Sanger and Piedra the public convenience and necessity would be served by the proposed automobile stage line and parties desiring transportation to and from Fresno can utilize the existing lines between Fresno and Sanger.

Petitioners have not as yet secured permits from the County of Fresno or the City of Sanger as provided by Section 3, Chapter 213, Laws of 1917, nor have they arranged to equip their cars in accordance with the order of the Railroad Commission in Case 1110, Decision No. 4814.

After careful consideration of the evidence in this proceeding, I am of the opinion and find as a fact that public convenience and necessity require the operation by petitioners of an automobile stage line as a common carrier of passengers, baggage and packages between Sanger and Piedra, subject to the conditions contained in the order herein, and submit the following form of order:

#### ORDER

TOM PINKSTON and C. W. RAYPHOLTZ, partners in business, having filed a petition herein asking that the Railroad Commission make its order declaring that public convenience and necessity require the operation by petitioners of an automobile stage line as a common carrier of passengers, baggage and packages between Fresno and Piedra in Fresno County, a public hearing 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 Tom Pinkston and C. W. Raypholtz, partners in business, of an auto-

mobile stage line as a common carrier of passengers, baggage and packages between Sanger and Piedra, 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 Tom Pinkston and C. W. Raypholtz, partners in business, of an automobile stage line as a common carrier of passengers, baggage and packages between Sanger and Piedra, provided that this declaration shall not become effective until said Tom Pinkston and C. W. Raypholtz, partners in business, shall have secured from the Railroad Commission a supplemental order reciting that they have filed herein certified copies of permits from the county of Fresno and the city of Sanger 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.

IT IS HEREBY ORDERED that no vehicle may be operated under this certificate unless such vehicle is owned by the applicants herein or is leased by such applicants under a contract

or agreement on a basis satisfactory to the Railroad Commission.

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 19th day of December, 1917.

Miss Thelen  
H. H. Boardman  
W. G. Gordon  
Erwin J. Edgerton

Commissioners.