

ORIGINAL

Decision No. 5171

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application)	
of CHAS. B. LLOYD for certificate)	
of public convenience and necessity)	
to operate stage or truck service)	Application No. 3472.
between Santa Maria, California,)	
and Los Olivos, California.)	
.....)	

Messrs. Preisker and Globe for applicant.
J. M. Sims for Pacific Coast Railway Company.

BY THE COMMISSION:

O P I N I O N

Charles B. Lloyd applies for certificate that public convenience and necessity require him to operate automobile service between Santa Maria and Los Olivos, a distance of 36 miles, in Santa Barbara County, for the common carriage of passengers, baggage and express packages.

A public hearing upon the application was held by Examiner Westover at Santa Maria.

Applicant has been operating since January 14, 1918, over the route in question, 25 miles of which is paved.

He purchased for \$500 the supposed right to operate said line from one Harry Coles. It was assumed

by the parties to the transaction that because Mr. Coles has been operating prior to May 1, 1917, he had a transferable right under Chapter 213, Laws of 1917. The only effect of the statute upon those operating in good faith prior to said date is to exempt them from the necessity of procuring permits from local authorities and certificates of public convenience and necessity from the Railroad Commission. The right recognized by the statute is personal and is not transferable.

Applicant has an 8 passenger 6 cylinder Chalmers car and proposes to operate two round trips per day upon a schedule which will enable him to connect at Los Olivos with stages of E. C. Craig, operating between Los Olivos and Santa Barbara.

Applicant's proposed rates from Santa Maria are 25¢ to Orcutt; 75¢ to Harris Station; \$1.00 to Los Alamos and \$1.50 to Los Olivos. Pickwick Stages operate between Santa Barbara and Santa Maria, but rarely pass through Los Olivos en route, and do not solicit local business between that point and Santa Maria. Parts of applicant's proposed route are used by Harry Webb, operating five round trips a day between Santa Maria and Orcutt, a distance of six miles; and by Bell & Canfield Stage Line, operating between Santa Maria and Lompoc and using the same route between Santa Maria and Harris Station, a distance of 15 miles.

Since January 14, 1918, applicant has carried usually 6 to 8 passengers a day between Los Olivos and Santa Maria, about as many between Los Alamos and Santa Maria, and about 2 a day between Santa Maria and Orcutt. His daily receipts have averaged \$13 to \$14. Apparently public convenience

and necessity require the service.

Applicant having stated that he had no desire to transport freight but only passengers, baggage and small express packages, Pacific Coast Railway Company announced that it had no objection to the granting of the application.

ORDER

CHAS. B. LLOYD having filed application asking that the Railroad Commission declare that public convenience and necessity require the operation by him of automobile service hereinafter described, and a public hearing having been held on said application, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Chas. B. Lloyd of automobile service as a common carrier of passengers, express packages and light baggage between Santa Maria and Los Olivos, Santa Barbara County:

PROVIDED that this declaration shall not become effective until said Chas. B. Lloyd has procured from the Railroad Commission a supplemental order herein reciting that applicant has filed herein certified copies of permits from the County of Santa Barbara and the governing board or body of each incorporated city or town through which applicant intends to operate, 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 procured.

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 *2d*
day of *March* 1918.

Max Thelen
A. D. Loveland
W. G. Gordon
Edwin C. Edgerton
Frank R. Doherty
Commissioners.