

ORIGINAL

Decision No. 5208

DECISION NO. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of C. M. BLABON for certificate)
of public convenience and)
necessity to operate stage) APPLICATION NO. 3516.
service between Oakland and)
San Jose.)

BY THE COMMISSION.

C. M. Blabon in propria persona.

O P I N I O N

C. M. Blabon petitions the Railroad Commission to make its order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers between Oakland and San Jose and intermediate points.

Public hearings were conducted by Examiner Encell at Oakland on March 2, 1918, and at San Francisco on March 28, 1918, the matter was duly submitted and is now ready for decision.

Petitioner proposes to furnish service by the use of one eight-passenger, 1915 model Packard automobile, and to operate two round trips daily between Oakland and San Jose, charging fares in accordance with schedule filed with the application in this proceeding.

Petitioner has purchased his equipment from P. L. Wiersma, who formerly operated on the schedule now proposed, and as petitioner was not operating over this route on May 1, 1917, (the effective date of Chapter 213, Laws of 1917) a certificate of public convenience and necessity is required from this

Commission and permits from the governing bodies of all political subdivisions through which the route passes.

Petitioner is a member of the Peerless Auto Stage Association, said association being composed of a number of individual stage line operators covering the route between Oakland and San Jose who have combined for the purpose of using common terminal facilities at Oakland and San Jose. A mutual schedule has been agreed upon by the operators which gives half-hourly service during the principal portion of each day. Petitioner will cover the runs leaving Oakland at 11:00 A. M. and 5:00 P. M. and leaving San Jose at 8:00 A. M. and 2:00 P. M. He has operated regularly over the route since January 8th, 1918, and has handled the following passengers:

		Average per day	Average per trip
January 8 to 31, 1918 (inclusive)	696	29	7 1/4
February 1 to 28, 1918	" 866	31	7 3/4
March 1 to 26, 1918	" 736	28	7

It appears that the service that is rendered is well patronized by the public on the scheduled hours operated by the applicant, and that a necessity exists for the continuation of such service. No appearance in protest against the granting of the desired certificate was made at either of the hearings on this matter.

O R D E R

C. M. Blabon having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers between Oakland and San Jose and intermediate points, public hearings having been held, the

matter having been duly submitted and the Commission being fully advised,

THE RAILROAD COMMISSION HEREBY DECLARES, That public convenience and necessity require the operation by C. M. Blabon of an automobile stage line as a common carrier of passengers between Oakland and San Jose and intermediate points; provided, that this declaration shall not become effective until said Blabon shall have secured from the Railroad Commission a supplemental order herein reciting that said Blabon has filed herein certified copies of permits from the governing bodies of all political subdivisions through which the line will operate between Oakland and San Jose; and provided, further, that the rights and privileges herein granted may 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.

April Dated at San Francisco, California, this 2d day of ~~March~~, 1918.

Max Thelen

Alfred G. Adams

Erwin O. Edgerton

Frank R. Gehring

Commissioners.