

Decision No. 5714

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application)
of J. T. GIBBINS for certificate)
of public convenience and necessity) Application No. 3896.
to operate an automobile stage ser-)
vice between Paynes Creek, in Tehama)
County, and Westwood in Lassen County,)
all in the State of California.)

A. H. Ludeman for applicant.

BY THE COMMISSION:

O P I N I O N

J. T. Gibbins applies for authority to operate automobile passenger, stage and express service between Paynes Creek, Tehama County, and Westwood, Lassen County, and intermediate points, a total distance of about 60 miles over mountainous roads.

A public hearing was held on the application by Examiner Westover at Red Bluff, August 21st.

Applicant's schedule provides for operation from May 15th to October 31st each year. During this time operation is to be daily except Sunday between June 16th and September 15th of each year and three times a week the rest of the season. For the daily service two 5-passenger touring cars will be used, each covering the route between 9 A.M. and 5 P.M. daily.

Since July 20th passengers have averaged about three a week in one direction. No other line operates over the route in question, but that part of the route between Chester and Westwood is used by the Chico Stage Line, operating between Westwood and Chico. Applicant's stages will connect at Paynes Creek with stage of H. V. Whitley, operating daily between Red Bluff and Manton via Paynes Creek, the Whitley stages in turn making convenient connection with Southern Pacific trains at Red Bluff.

J. C. Childs, formerly operating stage between Red Bluff and Paynes Creek, a distance of about 25 miles; Ed Conrad, formerly operating stage between Paynes Creek and Mineral, a distance of about 19 miles; and Wm. Buell, formerly operating stage between Mineral and Chester, a distance of about 23 miles, have all ceased operation since applicant began carrying the U. S. Mail July 1, 1918, under contract awarded him therefor.

Applicant's proposed line will apparently be the only common carrier operating between the points in question.

O R D E R

J. T. GIBBINS having applied to the Railroad Commission for declaration of public convenience and necessity described herein, a public hearing having been held on said application and the matter being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by J. T. Gibbins of an automobile stage line as a common carrier of passengers, baggage and express between Paynes Creek,

Tehama County, and Westwood, in Lassen County,

PROVIDED, HOWEVER, that this declaration shall not become effective until applicant herein shall have received a supplemental order from the Railroad Commission reciting that there have been filed herein certified copies of permits issued by the legislative or other governing board or body of each incorporated city or town or county within or through which applicant intends to operate, as required 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 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 contract or agreement in form satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 26th
day of August, 1918.

Edwin O. Edgerton
W. H. England
W. H. Ford
Commissioners.