

# ORIGINAL

Decision No. 6091.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
W. P. BAUGHAMP for certificate of  
public convenience and necessity to  
operate automobiles, jitney busses,  
auto trucks, stages or auto stages,  
for the transportation of passengers,  
baggage and expressage between Oakland  
and Newark and way points.

Application No. 4212.

C. W. White for Applicant.

S. H. Dunbar for Peerless Auto Stage Association,  
Protestant.

W. M. Rank for De Luxe Transportation Company,  
Protestant.

BY THE COMMISSION

## O P I N I O N

W. P. Baughamp has 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, baggage and express between Oakland and Newark and intermediate points.

A public hearing was held before Examiner Handford at Oakland on January 10, 1919, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked exhibit "A" as filed with the application in this proceeding and to operate on a schedule of two round trips per day, with an extra round trip on Saturdays and Sundays, serving the intermediate communities at San Leandro, San Lorenzo,

Hayward, Mt. Eden, Alvarado, Machado's Corners, and Centerville, and using as equipment one Studebaker Automobile, 1918 Model, eight passenger capacity, licensed by State Motor Vehicle Department under license No. 374915.

The granting of the certificate was opposed by the Peerless Auto Stage Association and the De Luxe Transportation Company. The proposed route will parallel the route of the members of the Peerless Auto Stage Association between Oakland and Hayward and as regards service to the community at Centerville. The De Luxe Transportation Company opposed the application as regards the service proposed to be given to the community at Centerville, alleging that the present service of the two authorized lines is ample for the needs of such community.

Witnesses testified as to the difficulty experienced in securing passage on stages passing through Centerville on account of stages being filled to capacity, although such difficulty existed prior to the commencement of the operation of the stages of the De Luxe Transportation Company.

We are of the opinion that the combined service of the Peerless Auto Stage Association and the De Luxe Transportation Company will adequately serve the public desiring transportation to and from Centerville.

The proposed route of applicant will serve the communities at Mt. Eden, Alvarado, Machado's Corners and Newark, these communities having no stage service at the present time, and we are of the opinion that the public convenience and necessity would be served by the establishment of the desired route eliminating, however, service to the community at Centerville.

Applicant has secured permits in accordance with the provisions of Section 3 of Chapter 213, Laws of 1917, from the Board of Supervisors of Alameda County, from the Boards of Trustees of the Town of Hayward, the City of San Leandro and the Council of the City of Oakland as evidenced by certified copies filed with the application in this proceeding.

### O R D E R

W. P. Beauchamp having applied to 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, baggage and express between Oakland and Newark and intermediate points, a public hearing 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 W. P. Beauchamp of an automobile stage line as a common carrier of passengers, baggage and express between Oakland and Newark and all intermediate points with the exception of the community at Centerville; provided, however, that the rights and privileges herein granted may not be transferred or assigned unless the written consent of the Railroad Commission to such transfer or assignment 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.

IT IS HEREBY FURTHER ORDERED that the rights and privileges herein granted do not authorize the transaction of business in the intermediate community of Centerville.

Dated at San Francisco, California, this 28th day of January, 1919.

Erin O. Egan

H. D. Loveland

H. T. Bunker

David M. Martin

Commissioners.