

Decision No. 6661.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of }  
 I. W. BAUGHMAN and JAMES LYCKE for }  
 a certificate of public convenience }  
 and necessity to operate an auto }  
 stage within the town of Vacaville, }  
 in the State of California, upon a }  
 route between Sacramento and Vallejo, }  
 and Napa as termini. }

Application No. 4771.

BY THE COMMISSION.

O R D E R

I. W. Baughman and James Lycke, partners in business, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile stage line as a common carrier of passengers within the city limits of the town of Vacaville.

Applicants herein are now operating an automobile stage service between the cities of Vallejo and Napa and the city of Sacramento passing through the town of Fairfield to the corporate limits of the town of Vacaville, detouring around Vacaville, and passing through Dixon and Davis to Sacramento using the state highway over all portions of the route with the exception of the detour around the town of Vacaville. The road over which the detour is made is an unimproved county road and complaints have been received from patrons of the applicant's through line as to loss of time and delay and schedules under which applicants have operated over the through route have been difficult to maintain by reason of such detour.

At the time of the granting of Application No. 4351 (Decision No. 6129) covering the through route between Vallejo and Sacramento, applicants were required by the provisions of Section 3 of Chapter 213, Laws of 1917, to secure local permits from the governing bodies of all political subdivisions through which a route passed. The town of Vacaville, through its Board of Trustees, denied applicants herein a permit and a detour was necessary; such detour being accomplished by the use of an unimproved county road, the improved highway passing through the corporate limits of the town of Vacaville. Some inconvenience and delay has resulted to the traveling public in that they have not been permitted access to the business district of Vacaville and difficulty has been experienced by the applicants herein in complying with schedules covering the through runs between Vallejo and Sacramento. The Board of Town Trustees of the town of Vacaville have advised the Commission that any action taken in the matter of granting a certificate, as prayed for herein, is satisfactory to them and the Commission has also received a petition, signed by a number of merchants of the town of Vacaville, requesting that the application herein receive approval that the stages of the applicants may serve the business district of the town of Vacaville and that patrons may not be required to walk a considerable distance to use the transportation facilities offered by the applicants.

After careful consideration we are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by I. W. Baughman and James Lycke, partners in business, of an automobile stage line as a common carrier of passengers upon the state highway through the town of Vacaville, such route being a portion of the through line now operated by applicants herein between Napa and Vallejo and Sacramento; provided, however, that the rights and privileges herein granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

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 12<sup>th</sup> day of September, 1919.

Edwin O. Ely  
H. S. Loveland  
Frank R. Brown

Dwight Thurston

Commissioners.