

ORIGINAL

Decision No. 6807.

VERBODEN THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of )  
BENJ. TONINI for certificate of public )  
convenience and necessity to operate )  
mail stage passenger and freight ser- )  
vice between San Luis Obispo and San )  
Simeon in San Luis Obispo County. )

Application No. 4097.

BY THE COMMISSION:

O R D E R

BENJ. TONINI has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of a passenger and freight automobile service between San Luis Obispo and San Simeon, San Luis Obispo County, and intermediate points.

A public hearing on this application was conducted by Examiner Handford at San Luis Obispo, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked exhibit "A" and filed with the application in this proceeding and to operate on a schedule of one round trip daily, except Sundays, serving as intermediate points the communities at Morro, Cayucos, <sup>and</sup> Cambria, using as equipment one Ford automobile with an extended delivery body.

It appears from the evidence in this proceeding that applicant is the possessor of a United States mail contract over the route herein sought and desires to transport such freight and passenger traffic as may offer at the time the mail

stage is scheduled to leave the respective terminals. The record of business transacted by applicant indicates that the business has been increased from a total amount of \$98.50 in July, 1918, to a total of \$232.40 in the month of May, 1919; the record indicating a gradual monthly increase.

After careful consideration of the evidence in this proceeding, we are of the opinion that the application should be granted.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Benj. Tonini of an automobile stage line as a common carrier of passengers and freight between San Luis Obispo and San Simeon, San Luis Obispo County, and intermediate points; provided, however, that the rights and privileges hereby granted may not be transferred nor assigned unless the written permission 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 28<sup>th</sup> day of October, 1919.

Elwin O. Edgerton  
A. H. Loveland  
Francis R. DeWitt  
H. C. Brundage

Commissioners.