

ORIGINAL

Decision No. 6923.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)	
NOAH SPATTER for certificate of public)	
convenience and necessity to operate an)	
automobile stage service between Los)	Application No. 4740.
Angeles and Kernville, California.)	

Noah Spatter in Propria Persona.

Charles A. Hand for Tibbetts and Hand, Protestant.

F. E. Watson for United States Railroad Administration,
Southern Pacific Railroad, Protestant.

BY THE COMMISSION:

O R D E R

NOAH SPATTER has petitioned the Railroad Commission for a declaration that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers between Los Angeles and Kernville, California.

A public hearing on this application was conducted by Examiner Handford at Los Angeles, 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 the intermediate communities at Freemans and Mojave; using as equipment three Buick automobiles each of seven passenger capacity, licensed by State Motor Vehicle department under license Nos. 430082, 88460, and 177153.

Applicant, as a reason for the granting of the desired certificate, relies upon the alleged fact that there is a large demand for employees at the construction work now being prosecuted by the Southern California Edison Company at Kernville; that there is no regular transportation service, either rail or stage, reaching the community at Kernville and that a great number of employees engaged in Los Angeles are transported directly by privately owned automobiles from employment offices to Kernville or the camp of the Southern California Edison Company in the immediate vicinity.

Applicant is also engaged in the conduct of an employment office and desires a certificate of public convenience and necessity that he may transport such workmen and others desiring to make the trip between Los Angeles and the construction work of the Southern California Edison Company at or near Kernville.

This application is protested by the United States Railroad Administration on behalf of its lessor, the Southern Pacific Railroad Company, and by Tibbetts and Hand, operating an automobile stage line from Caliente. It appears, however, that neither of the protestants have any objection to the particular service, as contemplated by applicant, provided that, if a certificate is granted, such certificate contain restrictions that no passenger service be performed other than the transportation of workmen, laborers and others desiring passage between Los Angeles and the construction camps of the Southern California Edison Company at or near Kernville.

We are of the opinion that the granting of the desired certificate will furnish an adequate and satisfactory means of transportation for the portion of the public for

which applicant desires to furnish service and the application will be granted with certain restrictions as to service which will be competitive with that of existing transportation facilities.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Noah Spatter of an automobile stage line as a common carrier of passengers between Los Angeles and Kernville; provided, however, that the authority conferred by this declaration does not authorize applicant to handle any local passenger business in the territory between Los Angeles and Mojave and no local passenger business between Mojave and Kernville other than that originating at or destined to the construction camps of the Southern California Edison Company located at or near Kernville; it being the intention of this declaration to authorize applicant to establish a transportation line that will serve the needs of the public desiring transportation between Los Angeles and the construction camps at or near Kernville and to care for such local business as may be originated or terminated in the territory between Mojave and Kernville which is not now served by the stage lines of any established transportation company.

IT IS HEREBY ORDERED that the rights and privileges hereby provided 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 FURTHER ORDERED that no vehicle may be operated under this permit unless such vehicle is owned by the applicant herein or is leased by such applicant on a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 9th day of December, 1919.

Edwin O. Edgerton
A. D. Lovell
Frank P. ...
Irving ...

Commissioners.