

ORIGINAL

Decision No. 7243.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of
W. MAXWELL, for certificate of public
convenience and necessity to operate
stage or truck service between Eureka
and Garberville.)

) Application No. 4697.

BY THE COMMISSION:

O R D E R

W. MAXWELL has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line between Eureka and Garberville and intermediate points.

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 Sunday, serving as intermediates the communities at FieldsLanding, Beatrice Corners, Loleta, Fernbridge, Fortuna, Alton, Metropolitan, Red Dell, Scotia, Pepperwood, Holmes Flatt, South Fork or Dyerville, Holmes Camp, Myers, Miranda, Phillipville, and Buhnes Ranch; also two round trips daily between Eureka and Scotia.

The route herein sought by applicant was formerly covered by the Maxwell-Anderson Stage Line, a partnership composed of W. Maxwell (applicant herein) and Harry Anderson. The partnership has been dissolved and applicant has retained the Eureka-Scotia-Garberville route for which certificate herein is re-

requested and the application now before the Commission should be considered on the basis of a transfer of operative rights heretofore existing rather than a certificate of public convenience and necessity as herein applied for.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the transfer of the operative rights over the route herein sought from Maxwell and Anderson, a co-partnership consisting of W. Maxwell and Harry Anderson, should be granted.

IT IS HEREBY ORDERED that the operative right, as heretofore existing over the route between Eureka and Garberville and intermediate points and held by Maxwell and Anderson, a co-partnership, be and the same hereby is authorized transferred to W. Maxwell; such transfer to be effective upon compliance with the following terms and conditions:

-I- Maxwell and Anderson, a co-partnership, will be required to immediately cancel all tariffs and time schedules now on file with the Railroad Commission; such cancellations to be in accordance with the provisions of General Order No. 51 and other regulations of the Railroad Commission.

-II- Applicant W. Maxwell will be required to file in his own name new tariffs and schedules, or to adopt as his own, the tariffs and schedules as heretofore filed by Maxwell and Anderson, a co-partnership; all rates to be in accordance with those heretofore filed with the Railroad Commission

by said-Maxwell and Anderson.

-III- The rights and privileges, transfer of which are hereby authorized, may not again be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

-IV- No vehicle may be operated under the authority herein contained by applicant, W. Maxwell, unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 11th day of March, 1920.

W. L. Ireland
Commissioner
H. K. B. ...
Assistant

Commissioners.