

Decision No. 7249

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-oOo-

In the Matter of the Application of  
CARL C. ALLEN and D. MOYER, to operate  
an automobile stage line between LOS  
BANOS and the Town of DOS PALOS, in  
the County of Merced, State of California.

)  
:  
) Application No. 4956  
)  
:  
)

Everts & Ewing, by W. E. Simpson for Applicant  
United States Railroad Administration, Southern  
Pacific Railroad Company, by Frank D. Austin,  
and F. C. Lathrop for Protestant.

BY THE COMMISSION.

O R D E R

Carl C. Allen and D. Moyer 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, baggage and packages between the town of Dos Palos and the City of Los Banos in the County of Merced, State of California and intermediate points.

A public hearing on this application was conducted by Examiner Satterwhite at Merced, February 13, 1920, the matter was duly submitted and is now ready for decision.

Applicants propose to charge rates in accordance with the schedule marked Exhibit "A", filed with the application in this proceeding and to operate on a schedule of two round trips daily. The equipment proposed to be used consists of two eight cylinder seven passenger Cadillac automobiles.

A large number of witnesses residing at Los Banos and Dos Palos testified to the public necessity for the proposed line. The evidence shows that all classes of passengers consisting of residents of the two towns, merchants, traveling sales-men and working men will patronize this service.

Hundreds of seasonal laborers travel through this territory seeking work upon the ranches and in the cotton, rice and grain fields. The evidence shows that the local travel between these two towns will average from two to five passengers a day. The proposed line will connect with the stage operating between Fresno, Firebaugh and Dos Palos which will enable residents of Los Banos to procure through stage service to the City of Fresno,

The United States Railroad Administration on behalf of the Southern Pacific Company appeared in opposition to the application. The Southern Pacific Company operates but one train a day each way and a resident of Los Banos desiring to do business in Dos Palos in the forenoon is compelled to stay over night if he travels by way of the Southern Pacific Company. The proposed stage line does not parallel the lines of the Southern Pacific Company, but traverses territory five or six miles away. The Dos Palos Railroad station is located at South Dos Palos which is three miles from Dos Palos proper and the only service afforded to passengers to and from this station is a roust-about bus which is supposed to meet all trains and makes a charge of 25 cents each way from the station to Dos Palos.

After consideration of all the evidence we are of the opinion that the application should be granted,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation of an automobile stage service as a common carrier of passengers, baggage and packages between the town of DOS PALOS and the City of LOS BANOS in the County of Merced, State of California, and intermediate points;

Provided, however, that the rights and privileges hereby authorized may not be transferred nor 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 applicants herein or is leased by such applicants under a contract of agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 11<sup>th</sup> day of March, 1920.

H. S. Loveland  
Frank H. H. H.  
H. B. B.  
Dwight M. M.  
Commissioners.