

Decision No. 7353

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of H. W. SHUMAN for certificate of public convenience and necessity to operate auto stage service between Madera and Sugar Pine.

)
) Application No. 5149.
)

In the matter of the application of H. W. SHUMAN, doing business under the firm name and style of Madera-Sugar Pine Stage Company for a permit to discontinue auto stage service between Madera and Raymond.

)
) Application No. 5521.
)

W. C. Ring, Jr. for applicant.

BY THE COMMISSION:

O P I N I O N

H. W. Shuman, operating under the fictitious name of Madera Sugar Pine Stage Company, applies for authority to operate an automobile passenger stage for the common carriage of passengers and express between Madera and Sugar Pine, Madera County.

A public hearing on the application was held by Examiner Westover at Madera.

In April, 1915, applicant began operating a

freight truck service and also a passenger service between Madera and Sugar Pine via Coarsegold, all in Madera County, over what is known as the Fresno River Road. Mr. Shuman also carried the mail over this route under contract with the government. By change in the mail route required by the government, effective December 1, 1919, it became necessary for him on his return trips to make a detour from Coarsegold, returning through Bates, carrying mail through new territory. It is because of the modification of the mail contract, and the necessary change in route, that the present application is made.

Applicant proposes to operate one trip each way daily except Sundays from April 1st to December 1st, and during the winter months December 1st to April 1st to operate the same service between Madera and Oakhurst, with a trip Oakhurst to Sugar Pine on Mondays, Wednesdays and Fridays, returning from Sugar Pine to Oakhurst Tuesdays, Thursdays and Saturdays. The equipment to be used consists of 2 Dodge 7-passenger cars and 1 Federal auto passenger truck seating 25 passengers.

The testimony shows that there is no other passenger service over the route in question and no opposition to granting the application.

Since the above hearing Mr. Shuman has filed Application No. 5521, requesting authority to discontinue service and transfer to T. J. Cronin his operative rights between Madera and a point near Coarsegold via Raymond but not affecting the carriage of passengers between Madera and

Coarsegold via the river road.

The route in question is applied for by T. J. Cronin in Application No. 5261.

O R D E R

H. W. Shuman having applied for permission to establish the transportation service hereinafter described, a public hearing having been held, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by H. W. Shuman of an automobile passenger stage line as a common carrier of passengers, baggage and express matter between Madera and Sugar Pine via the river road and between Madera and Sugar Pine via Bates Station and intermediate points,

PROVIDED that the rights and privileges hereby granted 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 in said service unless said vehicle is owned by the applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

FURTHER
IT IS HEREBY ORDERED that the applicant, H. W. Shuman, shall within 20 days from the date hereof file with the Railroad Commission his schedule and tariffs covering said proposed service, which shall be in addition to proposed schedule and tariff accompanying the application, and shall set forth the date upon which the operation of

the line hereby authorized will commence, which date shall be within 90 days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effective until and unless the above condition is complied with.

IT IS HEREBY FURTHER ORDERED that said H. W. Shuman be and he is hereby authorized and empowered to discontinue passenger stage service between Madera and a point southwest of and near Coarsegold via Raymond, and to transfer to T. J. Cronin his operative rights over said last described route, subject to the following conditions:

1. Said T. J. Cronin shall immediately file an original or certified copy of bill of sale setting forth in detail the transaction.

2. Said H. W. Shuman shall immediately cancel all tariffs and time schedules applying to said route via Raymond now on file with the Railroad Commission, such cancellation to be made in accordance with General Order No. 51 and other regulations of the Railroad Commission.

3. Said T. J. Cronin shall file tariffs and time schedules in his own name or adopt as his own the tariffs and time schedules heretofore filed by said Shuman, all rates and schedules to be identical with those heretofore filed with the Railroad Commission by applicant, H. W. Shuman.

4. The rights and privileges hereby authorized to be transferred may not again be transferred or assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

5. No vehicle may be operated under the authority herein contained unless such vehicle is owned by the applicant herein or is leased by said applicant under a con-

tract or agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 31
day of April, 1920.

Edwin O. Edwards
H. B. Leonard
Frank D. Helm
H. H. Bondage

Commissioners