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Decision No. 7734

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)	
F. D. JAMISON and A. FUDGE for	:	
certificate of public convenience	:	Application No. 5432
and necessity to operate passenger)	
and express service between FRESNO,	:	
CALIFORNIA, and AUBERRY, CALIFORNIA.)	

James A. Burns for Applicants
 Frank B. Austin for Southern
 Pacific Co. Protestant
 E. R. Davis and E. W. Cunningham
 for San Joaquin & Eastern
 Railroad, Protestant.

BY THE COMMISSION.

ORDER

F. D. JAMISON and A. FUDGE 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 and express between Fresno and Auberry, California, and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Fresno on May 5th, 1920, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked Exhibit "A" filed with said application and to operate on a time schedule of three round trips daily in accordance with Exhibit "B" amended at the hearing, using as equipment three

Calillac automobiles and one 11 passenger Reo automobile.

The Southern Pacific Company and the San Joaquin and Eastern Railroad Company appeared in opposition to the application.

The testimony of said applicants shows that J. W. Carnahan had been operating an auto stage passenger service over the proposed route for about six years and that applicants several months ago purchased the equipment of Mr. Carnahan and have continued to operate this service.

The service has always been well patronized and it was shown that an average of about ten passengers are carried on each round trip. The line of the service traverses a farming and cattle country. The great majority of passengers patronizing this line are working men employed in construction camps near Auberry.

The San Joaquin and Eastern Railroad Company gave testimony to the effect that their revenue from passenger traffic had been greatly reduced on account of the operation of this auto stage service and that as a matter of fact 90 per cent of the passenger traffic was handled by this stage line.

The San Joaquin and Eastern Railroad Company operates a mixed freight and passenger train and its transportation business now consists mainly in carrying cement, machinery, tools and other such materials to the construction camps near Auberry and transporting lumber into the Valley.

The testimony shows that passengers travelling to Auberry and intermediate points prefer the more rapid stage service to the service offered by the mixed train of the San Joaquin and Eastern Railroad Company.

After careful consideration of 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 by F. D. Jamison and A. Fudge of an automobile stage line as a common carrier of passengers and express between Fresno and Auberry, California, and intermediate points.

Provided that the rights and privileges herein 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 applicant herein, or is leased by said applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 16th day of June, 1920.

Edwin O. Edgerton
H. J. Loveland
J. W. Martin

Commissioners