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Decision No. 7742

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)
 JOSEPH MILLER for a permit to)
 operate an automobile stage line)
 within the Counties of Fresno and)
 Kings and the Cities of Coalinga) Application No. 4509
 and Lemoore, in said Counties,)
 State of California.)

Earl Bagby for Applicant
 E. E. Wade for Southern Pacific Co. Protestant
 J. R. Allen for American Rwy. Express Co. Protestant.

BY THE COMMISSION.

ORDER

Joseph Miller has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers and express between Coalinga, Fresno County and Lemoore, Kings County and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Hanford on June 2nd, 1920, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with the schedule marked Exhibit "B" filed with said application and to operate on a time schedule of two round trips daily, using as equipment two seven passenger Cadillac automobiles.

The Southern Pacific Company and the American Railway Express Company appeared in opposition to the application. The applicant testified and called several other witnesses in support of his application. The applicant now operates an auto stage line from Tulare to Lemoore by way of Visalia and the proposed service will be an extension of his present line.

The evidence shows that a large number of traveling men visit Coalinga from time to time and have expressed a desire for this service. It was shown that a large number of inquiries are made at the hotels at Visalia for such service to Coalinga and way points.

A witness called for the applicant testified that he had made a canvass of Coalinga and had interviewed a large number of merchants, business men, real estate men and others at Coalinga and that they had all expressed a desire for such service and that there was a public need for it. It was shown also that stock men and ranchers often travel between these points and would patronize the service.

The Southern Pacific Company traverses a route about eight miles away from the proposed stage service between Huron and Coalinga and there was testimony to the effect that the train service was not convenient or satisfactory. It was shown that there is demand for the transportation of express packages and matter, but applicant testified that no pick-up or delivery service would be rendered and that those desiring to transport express matter would have to bring all such matter to applicant's stages at all points.

Testimony was given to the effect that the president and secretary of the Chamber of Commerce at Coalinga had endorsed this proposed service based upon the attitude of the members of the Chamber.

The Southern Pacific Company offered in evidence their train schedules, showing that two passenger trains are operated daily to Coalinga and are giving a good service.

After a 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 Joseph Miller of an automobile stage line as a common carrier of passengers and express between Coalinga, Fresno County and Lemoore, Kings County and intermediate points.

Provided, however, 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 applicant file with the Railroad Commission within ten days from the date of service of this order a written acceptance of the certificate herein granted, such acceptance to contain advice as to the date upon which service will be commenced, which date shall not be more than 90 days from the date of service of this order.

IT IS HEREBY FURTHER 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 19th day of June, 1920.

Edwin O. Edgerton
H. J. Love
William R. Wilson
H. J. ...
James Martin
Commissioners