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Decision No. 7743

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 C. GRAHAM and A. G. DAVIDSON for a)
 certificate of public convenience :
 and necessity to operate passenger, : Application No. 4399
 baggage and express service between)
 Hanford and Tulare and intermediate :
 points.)

C. J. Graham for Applicant
 F. L. Hanna for Atchison, Topeka & Santa Fe, Protestant
 J. R. Allen for American Railway Express

BY THE COMMISSION.

ORDER

C. Graham and A. G. Davidson 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 express between Hanford, and Tulare via Corcoran 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.

At the hearing applicants amended their application by dropping the name of A. G. Davidson as a co-partner for the reason that said applicants had dissolved partnership on the 20th day of December 1919, and said A.G. Davidson had sold all his right, title and interest in and to the equipment described in said application to said C. Graham.

Applicant proposes to charge rates in accordance with schedule marked Exhibit "A" and to operate on a time schedule of four round trips daily, using as equipment one Buick automobile and one Cadillac automobile and such other equipment as traffic may demand.

The Atchison Topeka & Santa Fe Railroad Company and the American Railway Express Company appeared in opposition to the application. C. Graham testified and called other witnesses in support of the application.

The evidence shows that the applicant C. Graham for several months last past in the operation of this proposed service has carried on an average of 35 passengers daily and that all classes of people have patronized this line. The proposed route traverses a farming section and a cattle district. Traveling men and farm laborers constitute a considerable portion of those who have ridden over this line. Several of the witnesses called on behalf of applicant were business men at Corcoran, one of the chief intermediate points, and all testified that the citizens of Corcoran as well as business men and residents living at other points on the route have requested and desire this service. Witnesses residing at Hanford also testified that Hanford business men and merchants are in favor of this service.

The protestants introduced their respective rate and time schedules and introduced no other testimony.

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 C. Graham of an automobile stage line as common carrier of passengers, baggage and express between Hanford and Tulare via Corcoran 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 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 11th day of June, 1920.

Elin G. Edwards
H. D. Loveland
Frank White
H. D. Anderson
Dwight Matthews
Commissioners.