

Decision No. 7750

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application)
of F.C. Jewett for certificate of)
public convenience and necessity) APPLICATION NO. 5486
to operate passenger and baggage)
service between Bakersfield and)
Lost Hills and intermediate points.)

Irwin & Laird, for applicant.
N. C. Folsom for W.D. Greer Stage Co., protestant.

LOVELAND, Commissioner -

OPINION

F. C. Jewett applies for authority to operate automobile passenger stage between Bakersfield and Lost Hills and intermediate points, operating on a schedule of one round trip daily leaving Lost Hills at 9:00 A.M. and Bakersfield at 5:00 P.M., charging a fare of \$2.00 one way.

A public hearing was held at Bakersfield Wednesday, June 9, 1920. The matter was duly submitted and is now ready for decision.

Applicant is at present operating over route herein sought, having commenced operations in May 1916, and on March 1, 1917, filed tariff in compliance with order in General Order No. 47. On December 18, 1917, this tariff was canceled by one issued by Jewett & Means, as co-partners, which tariff is still in force. At the hearing, however, it developed that F. B. Means discontinued operation on September 1, 1919, leaving applicant sole possessor of route.

It is not the intention of applicant to change the character of the business being done, but rather to place his operations on a lawful basis through a certificate from this Commission.

The Atchison, Topeka & Santa Fe Railroad protested the granting of this application insofar as it relates to traffic between Bakersfield and Wasco, on the basis of adequate service of three trains daily to Wasco.

W. D. Greer Stage Company, one of the applicants for certificate over proposed route, entered protest against the granting of certificate.

The fact that applicant has been operating since prior to effective date of Chapter 213, Laws of 1917, establishes his rights to this particular route without the issuance of certificate of public convenience and necessity, notwithstanding protests that have been entered against the granting of this application.

Under all the facts set forth above, it appears to me that request of applicant for certificate of public convenience and necessity is reasonable and I see no objection to granting it.

ORDER

A public hearing having been held upon the above entitled application, and the matter having been duly submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by F.C. Jewett of a passenger and baggage auto service between Bakersfield and Lost Hills 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.

IT IS HEREBY FURTHER ORDERED that said F.C. Jowett shall within twenty (20) days from the date hereof file with the Railroad Commission a written acceptance of the certificate herein granted together with his schedule and tariff 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 ninety (90) days from date hereof, unless time to begin operation is extended by formal supplemental order.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco this 19th day of June, 1920.

Edwin O. Edgerton
H. J. Leland
Frank K. Brown
H. B. Brundage
David M. Martin
COMMISSIONERS.