

ORIGINAL

Decision No. 7751

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application)
of C. L. and H. Rhyne, co-partners,)
doing business under the name of)
Rhyne & Rhyne, for a certificate)
of public convenience and necessity)
to operate passenger and freight)
service between Follows and)
Mc Kittrick and intermediate points.)

APPLICATION NO. 5450

Chas. Del Bondino, for applicant.
N. C. Folsom for W.D. Groer Stage Co., protestant.
J. Boyd Oliver for Service Motor Express, protestant.

LOVELAND, Commissioner -

O P I N I O N

C. L. and H. Rhyne, co-partners, doing business under the name of Rhyne & Rhyne, have petitioned the Railroad Commission for a certificate declaring that public convenience and necessity require the operation by them of a passenger automobile for the transportation of passengers and freight as common carriers between Follows and Mc Kittrick and intermediate points.

A public hearing on this application was held at Bakersfield on Thursday, June 10, 1920, the matter was duly submitted and is now ready for decision.

Applicants now operate between Taft and Follows by reason of having operated prior to effective date of Chapter 213, Laws of 1917, and continuously thereafter, and the service proposed by them is an extension of present route to Mc Kittrick.

Emor Rhyme, one of the applicants, testified as to the necessity for establishment of proposed line, stating that in and about Fellows there were between four and five thousand persons, a portion of whom would patronize new line, and that heavy travel existed between Mc Kittrick and other oil centers on proposed route.

C. L. Rhyme, applicant, in his testimony states the necessity for establishing proposed line is that in the West Side oil fields there are between twenty and thirty thousand people, a large percent of whom, however, own their own cars.

The service proposed by applicants consists of two round trips per day, and the same will be increased as business justifies. This extension of service will give a through route from Mc Kittrick to Taft which has heretofore not been available to the traveling public.

W. D. Greer protested the granting of this application on the basis of a loss to him of fifteen passengers which traveled over his route in the course of a year. The service performed by protestant consists of two trips per week leaving Taft at 9:30 A.M., Tuesdays and Saturdays, for Pismo, and vacant seats are not available at all times.

Testimony was also introduced showing that numerous rent cars are now operating which are charging \$5.00 to carry one or two passengers to Mc Kittrick and intermediate points.

After consideration of the evidence in this proceeding, I am of the opinion that there is a public convenience and necessity for the operation by C. L. and E. Rhyme of an automobile stage line between Fellows and Mc Kittrick and intermediate points.

ORDER

A public hearing having been held upon the above application, 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 C. L. and E. Klyne of an automobile stage line as a common carrier of passengers between Fellows and Mc Kittrick and intermediate points,

PROVIDED that the rights and privileges herein 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 applicants herein or is leased by said applicants under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED, that said C. L. and E. Klyne shall, within twenty (20) days from the date hereof, file with the Railroad Commission tariff and schedule covering said proposed service and 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 ninety (90) days from the date of service of this 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, California, this 19th day of June, 1920.

Edwin J. Edgert
H. L. ...
Frank ...
H. ...
Dwight ...
COMMISSIONERS.