

ORIGINAL

Decision No. 7888

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of HY NELSON for certificate of public convenience and necessity to operate passenger auto service between Willits and Garberville. )  
Application No. 5297.

In the matter of the application of SAMUEL PINCHES for certificate of public convenience and necessity to operate automobile and stage passenger service between Laytonville, California, and Cummings, California.)  
Application No. 5845.

Frank W. Taft for Hy Nelson.  
Samuel Pinches in propria persona.

BY THE COMMISSION:

O P I N I O N

Hy Nelson applies for authority to operate automobile passenger, express and freight service between Willits and Garberville, serving as intermediate points Willits, Outlet, Arnold, Longvale, Laytonville, Twin Rock, Cummings, Leggett Val. Rock Creek, Redwood Flat, Bridges Creek, Red Mt. Creek, Wards Flat, McCoy Creek, Andersonia, Smiths and Garberville, a total distance of 76.3 miles.

In Application No. 5845 Samuel Pinches applies for authority to operate passenger, express and freight

service between Laytonville and Cummings. This would form a branch of his line between Longvale on the Northwestern Pacific Railroad, Laytonville 13 miles to the north and Branscomb, about 13 miles west and south of Laytonville, operation over which line was authorized by Decision No. 5923 of November 15, 1918.

A public hearing upon both applications was held by Examiner Westover at Cummings, June 30th.

By stipulation of parties the applications were consolidated for hearing and decision, since the 13 mile branch described in Mr. Pinches application is part of the route described in Mr. Nelson's application.

The only means of transportation in the territory in question is that provided by the two stage lines described and the Northwestern Pacific Railroad between Willits and Longvale. The railroad company, although notified of the hearing, did not appear.

Mr. Pinches began operating between Laytonville and Cummings in June, 1918, about the time he was awarded the contract to carry the mail between those points. He had then been carrying mail for some time between Longvale and Branscomb via Laytonville.

Mr. Nelson began operating between Willits and Garberville about May 17, 1920. Witnesses from nearly all of the points proposed to be served by him testified that his service has proven a very great convenience, particularly his buying and delivering of supplies. Several of the witnesses are ranchers living considerable distance from the highway traveled by stages and far from any postoffice

or source of supply.

Mr. Nelson now operates daily except Sundays and wishes to operate daily throughout the year. His schedule provides for one round trip a day leaving Garberville at 7:00 A.M., arriving at Willits at 12:30 P.M., leaving Willits returning at 2:30 P.M. and arriving at Garberville at 8:00 P.M., making convenient connection at Willits with the trains of the Northwestern Pacific Railroad, both northbound and southbound. His passenger fare between Laytonville and Cummings is \$1.50, between Longvale and Cummings \$3.50 and between Cummings and Willits \$3.70. His freight tariff per pound between Willits and Laytonville is  $\frac{1}{2}$ ¢, Willits and Cummings  $\frac{3}{4}$ ¢ and between Willits and Garberville 1¢; minimum charge 20¢.

The amount of business now handled by Mr. Nelson about equals the capacity of his equipment, which consists of Dodge touring cars with 10-passenger stage bodies, with a separate car frequently used for freight shipments, which some times amount to as much as 500-pound consignments of supplies. He is prepared to provide additional equipment if and when it is needed.

Mr. Pinches under his schedule leaves Laytonville at 5:00 P.M. arriving at Cummings about 6:00 P.M., leaves Cummings at 7:00 P.M. arriving at Laytonville at 8:00 P.M. His passenger fare between Laytonville and Cummings is \$2.00 and his freight tariff  $\frac{1}{2}$ ¢ per pound, minimum charge 25¢.

The principal objection on the part of the residents in and about Cummings to the service furnished by Mr. Pinches is that it is necessary for passengers outbound to remain

overnight at Laytonville at extra expense continuing the journey to the railroad at Longvale the next morning on the mail stage arriving from Branscomb. Shipments of supplies over his line from Willits must be ordered by mail, which causes some delay. Some complaint developed because of further delays in delivering shipments and he has no provision for buying supplies in Willits for his patrons. He testified that he could not provide a schedule under which passengers could leave Cummings in the morning for the railroad connection at Longvale without putting on another car and that he considered the expense would not justify such increased service.

It will apparently prove of great convenience to the community about Cummings to have both schedules in operation and we therefore grant both applications.

#### O R D E R

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

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Hy Nelson of an automobile stage line as a common carrier of passengers, express and freight between Willits and Garberville, serving as intermediate points Outlet, Arnold, Longvale, Laytonville, Twin Rock, Cummings, Leggett Val. Rock Creek, Redwood Flat, Bridges Creek, Red Mt. Creek, Wards Flat, McCoy Creek, Andersonia and Smiths.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Samuel Pinches of an automobile stage line as a common carrier

of passengers, express and freight between Laytonville and Cummings, serving Twin Rock as an intermediate point.

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 applicants herein or is leased by said applicants under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that the said applicants shall within 20 days from the date hereof file with the Railroad Commission their schedule and tariffs 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 90 days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effective until and unless the above condition is complied with.

Dated at San Francisco, California, this

22<sup>nd</sup> day of July, 1920.

Edwin J. Egan  
W. B. ...  
...  
Dwight Martin  
Commissioners.