

PE

Decision No. 8527

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Application	)	
of HOWARD CHILDS, for a certifi-	)	
cate of public convenience and ne-	)	Application No. 6403
cessity to operate Automobile	)	
Stage service between Red Bluff,	)	
Payne Creek and Manton, California.	)	

BY THE COMMISSION.

ORDER

Howard Childs has made application petitioning the Railroad Commission for certificate of public convenience and necessity to operate an automobile passenger, baggage and express service between Red Bluff and Manton and intermediate points.

Under application No. 3897, Decision Nos. 5713 and 5767, the Commission granted to E. V. Whitley certificate of public convenience and necessity to operate between Red Bluff and Payne Creek. At that time the applicant, Howard Childs, was employed by said E. V. Whitley to operate stage line in connection with U. S. Mail route, and has been so employed ever since. During the year 1919, E. V. Whitley died, leaving a deed conveying all his property to his wife. The widow and her

two sons have executed a bill of sale which transfers operative rights of this stage line to applicant, Howard Childs.

There is now no other means of transportation of persons and property between the points proposed to be served, and the Commission is of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted.

IT IS HEREBY DECLARED that public convenience and necessity require the operation by Howard Childs of an automobile passenger service as a common carrier of passengers, baggage and express between Red Bluff, Payne Creek and Manton, and intermediate points, and that a certificate of public convenience and necessity should be, and the same hereby is, granted, subject to the following conditions.

1. That applicant, Howard Childs, will within twenty (20) days from the date hereof, file with the Railroad Commission, a written acceptance of this certificate and the conditions named herein.
2. That applicant, Howard Childs, will be required to immediately file tariff of fares, rates and charges and time schedule with the Railroad Commission in accordance with provisions of General Order No. 51, and other regulations of the Railroad Commission.
3. The rights and privileges, authority for which are hereby authorized, may not again be discontinued, sold, leased, transferred nor assigned, unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

4. No vehicle may be operated by the applicant, Howard Childs, unless such vehicle is owned by him or is leased by him for a specified amount on a trip or term basis, the leasing of equipment not to include the services of a driver or operator. All employment of drivers or operators of leased cars shall be made on the basis of a contract by which the driver or operator shall bear the relation of an employee to the transportation company.

Dated at San Francisco, California, this 8<sup>th</sup> day  
of January, 1921.

H. D. Loveland  
Frank R. Devlin  
H. B. Sandage  
Commissioners.