

Decision No. 8558

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of C. E. SANSOME for Certificate of Public Convenience and Necessity to Operate Passenger auto stage service between Bakersfield and Tupman and Hayes Leases.)))))))	Application 6268
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In the Matter of the Application of Kitchen, Boyd and Ingalls for cer- tificate of Public Convenience and necessity to operate passenger auto service between Western Water Works and Tupman lease.)))))))	Application No. 6332
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Charles Del Bondio, for Applicant.
 Irwin & Laird, by Rollin Laird, for protestant.
 Irwin & Laird, by Rollin Laird, for Applicant.
 Charles Del Bondio, for Protestant.

BY THE COMMISSION.

ORDER

C. E. Sansome, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers between Tupman and Hayes Leases and Bakersfield.

Kitchen, Boyd and Ingalls 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 between Western Water Works and Tupman Lease.

A public hearing on the above applications was conducted by Examiner Satterwhite at Bakersfield at which time the matters were consolidated for hearing and decision, and were duly submitted.

Applicant, C. E. Sansome, proposes to charge fares in accordance with schedule marked Exhibit "A" filed with the application in this proceeding; to operate on a daily schedule of two round trips between Bakersfield and Hayes lease, serving as intermediate Tupman lease.

Kitchen, Boyd and Ingalls, propose to charge fares in accordance with schedule marked Exhibit "A" and attached to the application in this proceeding; to operate a daily service between Western Water Works and Tupman lease, connecting with stages operating between Bakersfield and Taft.

It appears from the evidence in this proceeding that applicant, C. E. Sansome, is now operating between Taft and Hayes lease and Tupman lease, and desires to extend his operations from Tupman lease into Bakersfield; that applicants, Kitchen, Boyd and Ingalls, are now operating between Taft and Bakersfield and desire to inaugurate a branch service between Western Water Works and Tupman lease.

At the various leases through which applicant, Sansome's proposed route passes are a great number of men employed who depend in a large measure upon the service of stage in reaching Bakersfield, which at the present time is by way of Taft connecting with Kitchen, Boyd and Ingalls or Kern County Transportation Company stages.

The granting of applicant Sansome's application is protested by Kitchen, Boyd and Ingalls and the Kern County Transportation Company. The protestants claim they are furnishing adequate service between Bakersfield and Taft to handle all passengers delivered at Taft destined to Bakersfield.

The granting of applicants Kitchen, Boyd and Ingalls application is protested by C. E. Sansome on the basis that he now

operates between Taft and Tupman lease, and the proposed new extension would eliminate the transfer of passengers at Taft.

It appears from the evidence in this proceeding that the transportation of passengers as it is handled at present from the various leases who desire to reach Bakersfield is very unsatisfactory for the reason that stages destined Bakersfield are in a great number of cases loaded upon leaving Taft, thereby causing a delay which would be overcome by the direct route and would be more satisfactory to workmen employed at various leases.

There appears no reason, nor was there any showing made by applicants, Kitchen, Boyd and Ingalls, justifying the Commission in granting the desired certificate for operation between Western Water Works and Tupman lease, and in granting the application of Applicant, C. E. Sansome, applicant will be confined to the handling of passengers from the various leases to Bakersfield and no through business from Taft or from Western Water Works into Bakersfield.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by C. E. Sansome of an automobile passenger line as a common carrier of passengers between Hayes lease, Tupman lease and Bakersfield, but that no service may be rendered between Western Water Works and Bakersfield and intermediate points, nor between Taft and Bakersfield.

The rights and privileges hereby authorized, may not 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.

IT IS HEREBY ORDERED that the applicant shall within twenty (20) days from the date hereof file written acceptance of the conditions of this order, such acceptance to state date upon which operations of the line hereby authorized will commence, which date shall be within 90 days from date hereof.

IT IS HEREBY FURTHER ORDERED that no vehicle may be operated by the applicant, 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 relations of an employee to the transportation company.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity does not require the operation by Kitchen, Boyd and Ingalls of an automobile stage line as a common carrier of passengers between Western Water Works and Tufman lease.

IT IS HEREBY FURTHER ORDERED that the above described application of Kitchen, Boyd and Ingalls be, and the same hereby is, denied.

Dated at San Francisco, California, this 17th day of January, 1921.

H. D. Loveland
Frank R. Pollock
H. B. Brundage

Commissioners.