

ORIGINAL

Decision No. 8577BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 WHEELER BROTHERS for certificate of)
 public convenience and necessity to) Application No. 6463.
 operate passenger service between)
 Sanitarium and St Helena, California.)

BY THE COMMISSION:

ORDER

A. A. WHEELER and D. A. WHEELER, operating as Wheeler Brothers, have petitioned the Railroad Commission for a certificate of public convenience and necessity to operate an automobile stage line as a common carrier of passengers between Sanitarium and St Helena.

Applicants are now, and have been, operating over said route since purchasing from former owner, L. A. Wright, who, in turn, acquired route from Robert O'Neal. No transfer of operative rights is of record with the Commission, as required under section 5, Chapter 213, Laws of 1917, as amended by Chapter 280, Laws of 1919, and we are 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 A. A. WHEELER and D. A. WHEELER, copartners operating under the name and

style of WHEELER BROTHERS, of an automobile stage line as a common carrier of passengers between Sanitarium and St Helena, subject to the following conditions:

1. That applicants, A. A. Wheeler and D. A. Wheeler, will, within twenty (20) days from the date hereof, file with the Railroad Commission a written acceptance of this order.
2. That the applicants, A. A. Wheeler and D. A. Wheeler, will be immediately required to file a tariff of fares, rules and regulations and a time schedule in accordance with the provisions of General Order No. 51, and other regulations of the Railroad Commission.
3. That the rights and privileges hereby granted 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.
4. No vehicle may be operated by applicants, A. A. Wheeler and D. A. Wheeler unless such vehicle is owned by them, or is leased by them for a specified amount on a trip or term basis, the leasing of equipment not to include the service 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 20th day of January, 1921.

Frank R. DeWitt
H. B. ...
Wesley Martin
Commissioners.