

Decision No. 8651

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
W.L.R. PATTERSON, for Certificate of)
Public Convenience and Necessity to)
operate passenger stage service) Application No. 6460
between San Diego and Encanto, and)
intermediate points.)

BY THE COMMISSION.

ORDER

has
W. L. R. Patterson, under date of January 4, 1921,
made application to the Railroad Commission for certificate of
public convenience and necessity to operate an automobile pas-
senger service as a common carrier of passengers, between San
Diego and Encanto and intermediate points, over route hereinafter
described.

Applicant proposes to charge fares in accordance with
a schedule marked Exhibit "A" and filed with the application in
this proceeding, and to operate on practically an hour schedule
between the hours of 8:00 A. M. and 6:00 P. M. on week days with
one round trip on Sundays, using as equipment one Twelve Passenger
Reo Automobile.

Accompanying the application in this proceeding and
marked Exhibit "D" is a petition signed by 75 residents of Encanto,
requesting the inauguration of this service.

The Pickwick Stages operates stages from San Diego
through Encanto but do no local business and have waived any ob-
jection to the granting of this application.

The San Diego and Arizona Railway Company who operate locally between San Diego and Encanto, also waive any objection to the granting of this application, provided that in the future this service would not be extended to Lemon Grove and La Mesa.

It would appear from information at hand that there is a strong demand for the service as proposed by applicant, and that residents of Encanto and intermediate points would be greatly inconvenienced by the establishment of such a service, for which a real public necessity exists.

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 establishment by W. L. R. Patterson of an automobile passenger service as a common carrier of passengers between San Diego and Encanto via Imperial Avenue, serving as intermediate points the communities of Beverly and Hollywood, 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, W. L. R. Patterson, will, within twenty (20) days from the date hereof, file with the Railroad Commission, his written acceptance of this certificate and the conditions named herein, and that said applicant will commence this service within ninety (90) days from date hereof.
2. That applicant, W. L. R. Patterson, will be required to immediately file tariff of fares and time schedule with the Railroad Commission in accordance with provisions of General Order No. 51 and other regulations of the Railroad Commission.

3. That the operative rights and priveleges, authority for which are 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 applicant, W.L.R. Patterson, 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 2nd day of February, 1921.

H. A. Loveland
Frank R. White
H. B. Brundage
Wm. J. Martin
Charles H. Connel
Commissioners.