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Decision No. 8718

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 TIBBETTS AND HAND for certificate)
 of public convenience and necessity :
 to operate passenger, baggage and) Application No. 6607
 express service between Kernville)
 and Bakersfield.)
 :
)

BY THE COMMISSION.

ORDER

The above applicants, Mrs. W. E. Tibbetts and Chas. A. Hand, partners in business under the name of Tibbetts and Hand, have, under date of March 2nd, 1921, petitioned the Railroad Commission of the State of California 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, baggage and express between Kernville and Bakersfield and intermediate points.

Applicants propose to charge fares in accordance with a schedule marked "Exhibit F", filed with the application in this proceeding and to operate on a schedule of one round trip daily, except Sunday, using as equipment two Twin-Six Packard automobiles.

Applicants are at present operating passenger and freight service between Kernville and Caliente under authority of the Railroad Commission in Decision No. 7294, on Application No. 3684, and the present application is for an extension of this service into Bakersfield

At the present time service between Kernville and points on applicants' line into Bakersfield is by stage to Caliente and Southern Pacific Railroad to Bakersfield. This service is unsatisfactory for the reason that a delay of from four hours to a day is caused by the varied schedule of stage line and railroad.

It is not the intention of applicants to carry local passengers between Caliente and Bakersfield where they would come in direct competition with the Southern Pacific Company. There being no other method of regular transportation available for the public over the route herein requested,

We are of the opinion that this is not a matter in which a public hearing is necessary, and that the application should be granted.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Mrs. W. E. Tibbetts and Chas. A. Hand, partners in business, of an automobile stage line as a common carrier of passengers, baggage and express between Bakersfield and Kernville and intermediate points, subject to the following conditions:

1. That the rights and privileges herein granted do not permit the handling of local business between Bakersfield and Caliente, but does grant the handling of all business between Bakersfield and all other points on applicants' line between Caliente and Kernville.
2. That applicants, Tibbetts and Hand, will within twenty (20) days from the date hereof, file with the Railroad Commission, their written acceptance of this certificate and the conditions named herein, and that said applicants will commence this service within ninety (90) days from the date hereof.

3. That applicants, Tibbetts and Hand, will be required to immediately file tariff of fares, rates and time schedule with the Railroad Commission in accordance with provisions of General Order No.51, and other regulations of the Railroad Commission.
4. That the operative rights and privileges, 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.
5. No vehicle may be operated by applicants, Tibbetts and Hand, 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 services of drivers or operators. 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 9th day of
March, 1921.

Frank DeVin
T. D. Lovell and
H. H. Brown
Sheep H. K. Lee
Commissioners