

Decision No. 8740

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of B. F. SIMMONS for certificate of public convenience and necessity to operate passenger service between Bakersfield and Oil Center, California.

Application No. 6561.

ORIGINAL

BY THE COMMISSION.

ORDER

B. F. Simmons, doing business as B. F. Simmons Stage Company, has, under date of February 17, 1921, made application petitioning the Railroad Commission for certificate of public convenience and necessity to operate an automobile passenger service as a common carrier of passengers between Bakersfield and Oil Center and intermediate points, over route hereinafter described.

Applicant proposes to charge fares in accordance with a schedule marked Exhibit "A" attached to and made a part of the application in this proceeding, and to operate on a schedule of five round trips daily, using as equipment one six passenger Dodge touring car and one seven passenger Overland touring car.

This proposed route travels through what is known as the Kern River Fields which employ a large number of men, the majority of whom reside in Bakersfield and who are dependent upon the services of so-called rent cars, in order to reach their place of employment. These rent cars do not maintain a regular schedule and apparently are not run for the benefit of these workmen.

There is no other regular means of transportation between the points proposed to be served and public convenience and necessity exists for the establishment of this service.

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 B. F. Simmons of an automobile passenger service as a common carrier of passengers between Bakersfield and Oil Center, and intermediate points over the following route. Leave Bakersfield by Chester Avenue, going north over Kern River Bridge, thence north by State Highway and county highway to Oildale, thence north on county highway, and turn east by road towards bridge at foot of China Grade, thence north to Oil Center, and that a certificate of public convenience should be and the same hereby is granted, subject to the following conditions.

1. That applicant, B. F. Simmons, 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 the date hereof.

2. That applicant, B. F. Simmons, will be required to immediately file tariff of fares, rules and regulations 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 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.

4. No vehicle may be operated by applicant, B. F. Simmons, 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 14<sup>th</sup> day of March, 1921.

Frank R. Dwyer

A. Howard

Quincy Martin

\_\_\_\_\_

\_\_\_\_\_

Commissioners.