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Decision No. 8855

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of  
WILLIAM GIMINIANI for certificate of  
public convenience and necessity to  
operate automobile stage for the  
transportation of passengers, baggage  
and express, between Bakersfield and  
Buttonwillow and intermediate points.

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:  
) Application No. 6518  
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)

Irwin and Laird by Rowen Irwin for applicant.

BY THE COMMISSION.

O P I N I O N

William Giminiani 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, baggage and express between Bakersfield and Buttonwillow and intermediate points.

A public hearing was held at Bakersfield on Monday, March 21st, 1921, before Examiner Satterwhite at which time the matter was duly submitted and is now ready for decision.

It appears from the testimony that applicant William Giminiani and his brother Mike Giminiani operated an auto stage line between Bakersfield and Buttonwillow prior to and for more than a year subsequent to May 1st, 1917.

In the month of August 1919, Mike Giminiani made and executed an agreement of sale to one Henry Gross for the transfer of his equipment in this stage line. Thereafter said William

Giminiani and said Henry Gross filed an application with this Commission for the approval of the said transfer of Mike Giminiani, and on February 11, 1920, this Commission approved said transfer; but the order authorizing the transfer lapsed for the reason that the applicants did not comply with the conditions of said order and for the further reason that Henry Gross and Mike Giminiani failed to carry out the terms of their transfer agreement.

The evidence further shows that Mike Giminiani sold his interest in one of the automobiles operated by the partnership to this applicant at or about the time he made his said transfer to Henry Gross, and thereafter abandoned all his connections with the operation of this stage line. Ever since the transfer by Mike Giminiani of his rights and interest in this stage line to this applicant and to Henry Gross, William Giminiani has maintained the service alone and the testimony shows that he has at all times rendered a good and satisfactory service and that there is a public demand for its continuation.

#### O R D E R

A public hearing having been held in the above entitled matter, the same having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by WILLIAM GIMINIANI of an automobile stage line as a common carrier of passengers, baggage and express between Bakersfield and Buttonwillow over the following route: Starting at Bakersfield thence to Rosedale, thence to Rio Bravo, thence to Bowerbank, thence to Buttonwillow (Miller and Lux Store.)

provided, that the rights and privileges herein 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.

IT IS FURTHER ORDERED that no vehicle may be operated by the applicant, William Giminiani unless such vehicle is owned by him or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 14<sup>th</sup> day of April, 1921.

H. H. Howland

James M. Martin  
Charles N. Howland

Commissioners