

Decision No. 8709

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
G. A. LIGHT and D. C. WIXON to oper-  
ate a passenger auto stage between  
Turlock and Modesto, Crow's Landing,  
Newman and way-points.

} Application No. 6575.

W. I. Titus for Applicant.

E. H. Sked for Southern Pacific Company.

Dennet & Zion, by E. H. Zion, for J. P.  
Smith and Dora Parker.

BY THE COMMISSION.

O P I N I O N

The above application is for authority to operate pass-  
enger auto stage service between Turlock and Modesto via Empire  
and via Ceres, and between Turlock and Newman via Hilmar and also  
via Crows Landing.

A public hearing on the application was held by Examiner  
Westover at Turlock, of which all interested parties were notified  
and given an opportunity to appear and be heard.

Of the above points, Newman and Crows Landing are served  
by the Southern Pacific Company's west side line, and Turlock, Ceres,  
and Modesto by its east side line. The towns of Empire, Hughson,  
and Denair, which applicant also wishes to serve are served by the  
Santa Fe Railway. The towns of Modesto and Empire are served by

the stage line of B. L. Halversen, operated between Modesto and La Grange. The stage line operated by J. P. Smith, under lease from Dora Parker and also in his own right as to one schedule, extends south from Modesto to Newman via Crows Landing, with a line connecting the latter point with Patterson, thus affording direct service between Modesto and the three towns named. Modesto and Ceres are served by the Star Auto Stage Company and Western Auto Stage Company. Applicants' proposed service would connect Modesto, Crows Landing and Newman by a very indirect route. Of the carriers mentioned, applicants are the only ones who would serve all of the towns mentioned, except Patterson. The proposed service would directly connect 13 towns or communities by convenient schedules, which are not now connected except in small groups by the six present carriers. The territory in question is a well settled, prosperous agricultural and fruit region which will be very greatly inconvenienced by through service between the principal points referred to.

Smith and Parker protested the granting of the application on the ground that the proposed service will injure their direct service between Modesto, Crows Landing and Newman. The proposed service between these points through Turlock is so indirect that it appears to be unlikely that it will afford real competition. The possible disadvantage to protestants on that ground will apparently be offset by the possible transfer to their lines of passengers originating on the proposed line between Turlock and Newman.

#### O R D E R

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

THE RAILROAD COMMISSION HEREBY DECLARES that public

convenience and necessity require the operation by G. A. Light and D. C. Wixon of automotive passenger stage service between Turlock and Modesto, serving as intermediate points Denair, Hughson, Empire and Ceres; and between Turlock and Newman, serving as intermediate points Hilmar, Irwin and Stevinson Colony; and also Hatch, Mountain View School and Crows Landing. Public convenience and necessity, however, do not require such service locally between Modesto and Empire, between Modesto, Ceres and Turlock, nor between Newman, Crows Landing and Mountain View School.

Nothing herein contained shall be construed as intended to prevent through service between points in either of the zones above described and any of said points hereinabove named.

The operative rights and privileges hereby established may not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

No vehicle may be operated in said service unless said vehicle is owned by the applicants herein or is leased by said applicants under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY ORDERED that applicants shall, within twenty (20) days from the date hereof, file with the Railroad Commission their schedule and tariff covering said proposed service, which shall be in addition to proposed schedule and tariff accompanying the application, and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be within ninety (90) days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effect-

