

McS

ORIGINAL

Decision No. 905'3

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-oOo-

In the Matter of the Application of  
V. V. ANDERSON, for Certificate of  
Public Convenience and Necessity to  
operate passenger, freight and express  
between Winters, Yolo County, and Monticello,  
Napa County, California.

)  
:  
) Application No. 6522  
:  
)

H. M. Ball for Applicant  
E. F. Gardner for Monticello Stage Line,  
Protestant.

BY THE COMMISSION.

O P I N I O N

V. V. Anderson 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, freight and express between Winters, Yolo County and Monticello, Napa County and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite on May 26, 1921, at Winters, at which time the matter was submitted and is now ready for decision.

Applicant proposes to charge rates and operate on a time schedule in accordance with Exhibits "A" and "B" attached to said application, using as equipment a one ten track Oldsmobile with a seating capacity of twelve passengers.

The Monticello Stage Company opposed the granting of this application.

The applicant testified to the effect that Monticello is located in the Berryessa valley, which is a fruit and grain

growing section and during the harvesting season large shipments of fruit and grain are made to WINTERS. It was shown that general merchandise as well as lumber and machinery and other supplies are shipped from Winters to Monticello and intermediate territory and during the crop season many farm laborers seek work upon the farms in the territory proposed to be served.

The Monticello Stage Company, protestant, operates a passenger, freight and express service between Monticello and Napa and opposed the granting of this application on the basis that the proposed service would establish an injurious competitive service and introduced an exhibit showing that its profits for the year 1920 were a little less than \$500.00. The evidence shows that the distance between Monticello and Winters is twenty miles, and the distance between Monticello and Napa is twenty-seven miles, and that the proposed route does not parallel protestant's line.

It appears from the testimony of protestant that shipments are made from Sacramento to Napa and thence to Monticello over the protestant's line. It was shown, however, by the applicant that there is a passenger and express stage line between Sacramento and Winters by way of Davis and if this proposed service is authorized a much shorter and more direct route will be afforded for the transportation of freight and express as well as passengers.

After a careful consideration of the evidence, we are of the opinion and find as a fact that there is public necessity for the service proposed by applicant V. V. Anderson and that his application should be granted.

#### O R D E R

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

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by V. V. Anderson

of an automobile stage line as a common carrier of passengers, freight and express between Winters, Yolo County and Monticello, Napa County and intermediate points, provided, however, that 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, and,

Provided further, that no vehicle may be operated in said service unless said vehicle is owned by applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY ORDERED that applicant, V. V. ANDERSON, shall file within fifteen (15) days from the date hereof, a written acceptance of the order herein contained, such acceptance to set forth the date upon which operation will commence, which date shall be within thirty (30) days from the date hereof.

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

H. B. Randall  
H. D. Lovelace  
James Martin

Commissioners