

Decision No. 9321

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

ORIGINAL

In the Matter of the Application of  
C. N. GAYLORD and A. W. CLARK for a  
certificate of public convenience  
and necessity to operate an automobile  
passenger stage between TURLOCK,  
LA GRANGE and DON PEDRO DAM.

)  
:  
Application No. 6893  
)  
:  
)

W. I. Titus and W. Coburn Cook for Applicants.  
Dennett & Zion by E. E. Zion for B. L. Halverson, Protestant.

MARTIN, -Commissioner.

O P I N I O N

In this proceeding C. N. Gaylord and A. W. Clark, co-partners, have made application to the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of an automobile passenger stage line for the transportation of passengers between Turlock and Don Pedro Dam, serving La Grange as an intermediate point.

At the hearing applicants asked for, and were granted, permission to amend their application so as to enable the handling of express matter in packages of not to exceed 100 pounds.

A hearing was held on July 25th, 1921 at Turlock at which time the application was submitted and it is now ready for decision.

At such hearing applicants herein submitted testimony to the effect that there was at the present time under construction at Don Pedro a dam for the purpose of impounding water for irrigation use, that there were employed at this time approximately 240 men engaged in the construction work and that within the near future there would probably be from 300 to 400 men engaged in such work.

In addition thereto another witness for applicants testified that a gold dredging company intended to commence operation near La Grange and to employ from 150 to 200 men in such work. There is at the present time no means of transportation except by private conveyance between Turlock and La Grange and Don Pedro and the chief engineer in charge of construction work at Don Pedro testified that it was necessary that a stage line be authorized to operate for the purpose of carrying men and supplies to and from Turlock as the head office of the irrigation company was situated at Turlock.

The granting of this application was opposed by B. L. Halverson, who is at the present time operating a passenger stage from Modesto to Don Pedro through La Grange. Protestant, however, does not render service to or from Turlock.

Applicants herein propose to operate two round trips per day between Turlock and Don Pedro and to charge a rate of \$2.50 between Turlock and Don Pedro and \$1.50 between Turlock and La Grange.

It appearing at the present time that there is no direct service between Turlock and Don Pedro, it is my opinion that the present application should be granted and I recommend the following form of order.

### O R D E R

A hearing having been held on the above-entitled application, evidence submitted and the Commission being fully advised,

IT IS HEREBY DECLARED that public convenience and necessity require the operation by C. N. Gaylord and A. W. Clark of an automobile stage line for the transportation of passengers and express matter between Turlock and Don Pedro Dam, serving as an intermediate point La Grange, and a certificate of public convenience and necessity be, and the same hereby is granted subject to the following conditions:

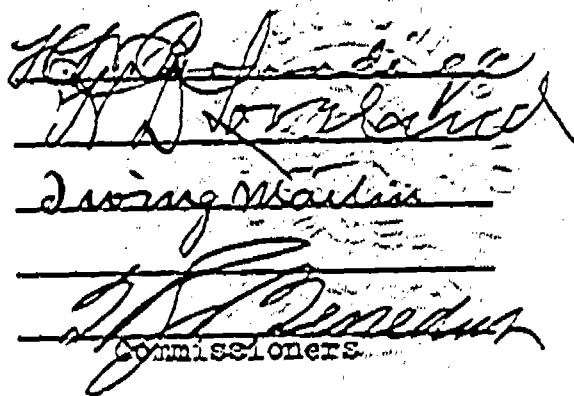
1. That applicants C. M. Gaylord and A. W. Clark shall file within ten (10) days their written acceptance of the certificate herein granted and shall file within not less than twenty (20) days from the date hereof, duplicate tariffs of rates and time schedules in accordance with General Order No. 51 of the Railroad Commission, and shall commence operation within a period of not less than twenty (20) days from date hereof. In all other respects the effective date of this order shall be twenty (20) days from date hereof.

2. That the rights and privileges hereby authorized 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.

3. That no vehicle may be operated by the applicants herein, unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission.

Dated at San Francisco, California, this 5<sup>th</sup> day of August, 1921.

  
Commissioners