

Decision No. 9497

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of WEBB PINNEO for a certificate of public convenience and necessity to operate auto stage service between Susanville, California, and Oregon-California State Line, via Alturas.

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Application No. 6721  
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Grover C. Julian for Applicant.  
James Glynn for Nevada-California-Oregon Rwy.

BY THE COMMISSION,

O P I N I O N

Webb Pinneo 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 and baggage between Susanville, California, and California-Oregon State Line, via Alturas and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Susanville on August 9, 1921, at which time the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates and to operate on a time schedule in accordance with Exhibits "A" and "B" attached to said application, which were amended at the hearing, using equipment described in Exhibit "C" amended at the hearing.

The Nevada-California-Oregon Railway protested the granting of this application.

Applicant introduced testimony showing that during the period from May 1st to November 1st, there are a large number of laborers and lumberjacks who work in the lumber mills at Susanville

and at various lumber mills in Oregon who desire this proposed service. Commercial travelers and residents in the territory proposed to be served have requested this service because it affords a more direct means of transportation to Alturas and other points in California and Oregon.

Applicant has been operating a through stage service from Susanville to Klamath Falls and other points in Oregon and has carried on an average of three to five passengers daily in each direction. The distance over the proposed route from Susanville to Alturas is 91 miles and 164 miles to the State Line. It was shown that the present service afforded by the protesting rail carrier is unsatisfactory in this, that passengers are compelled to go from Susanville by auto stage or by the Southern Pacific to Wendel in order to make connections with the trains of the protestant and that there are many delays not only at the transfer point, but at other points along the line. It was shown that the protesting rail carrier does not maintain its time schedule, but that frequently its north, as well as south bound trains, are delayed. The distance from Susanville to Alturas by way of the rail line is about 125 miles.

The protestant offered in evidence its time schedule which shows that trains are operated each way every day excepting Sundays, arriving at Wendel, north bound, at 12:30 P. M. on Mondays, Wednesdays and Fridays and at 12:55 P. M. on Tuesdays, Thursdays and Saturdays and at Alturas at 7 P. M. and 8:45 P. M. respectively. The stage line out of Susanville which operates to Wendel leaves at 10:00 A. M. arriving at Wendel about 12 o'clock. Under the proposed operation of applicant, stages will leave Susanville on Mondays, Wednesdays and Fridays at 8 A. M. arriving in Alturas at 12:30 P. M.

Applicant indicated at the hearing that he would file at an early date an amended time schedule setting forth in detail the time schedule for all points. The proposed route of applicant out

of Susanville will follow the public highway northerly to Termo and will serve all intermediate places to the State Line which it crosses at a short distance south of Moline to Oregon.

After a careful consideration of the evidence, we are of the opinion that public convenience and necessity require the operation of this proposed service and that the application should be granted.

O R D E R

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

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the establishment of an automobile stage line as a common carrier of passengers and baggage by Webb Pinneo between Susanville, California, and California-Oregon State Line, serving the intermediate points of Alturas, Termo, Madeline, Likely, and Canby, and that a certificate of public convenience and necessity should be, and the same hereby is granted, subject to the following conditions:

1. That applicant Webb Pinneo shall file with the Railroad Commission within twenty (20) days from date hereof, his written acceptance of the certificate herein granted, and shall file within twenty (20) days from date hereof tariff of rates and time schedule, in duplicate, in accordance with the provisions of General Order No. 51 and other regulations of the Railroad Commission, and that operation of the service herein authorized will commence within thirty (30) days from date hereof. In all other respects the effective date of this Order shall be twenty (20) days.

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 applicant Webb Pinneo, unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 12<sup>th</sup> day of September, 1921.

W. P. Brundage  
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Commissioners