

Decision No. 9673.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ANDERSON BROS. for certificate of public convenience and necessity to operate regular passenger service between Minden, Nevada, and Bridgeport, California.

Application No. 7110.

In the Matter of the Application of O. B. GEFEKE for certificate of public convenience and necessity to operate automobile mail, passenger, baggage, express and freight stage service between Minden, Nevada, and Bridgeport, California.

Application No. 7156.

L. N. Anderson for Anderson Bros.

Chas. H. Hayes for O. B. Gefeke.

BY THE COMMISSION.

O P I N I O N

A public hearing was held by Examiner Westover at Truckee upon the above applications to operate passenger stage service between Minden, Nevada, and Bridgeport, Mono County, California, each seeking authority to operate over two routes, via Sweetwater, Nevada, and also via Coleville, California.

It appears from the testimony that Anderson Bros. purchased, about June 1, 1916, the trucking and stage business of A. F. Scott who had operated the line from 1858 to the time of his death, a few days before applicants' purchase. They operated the line in person until June, 1918, when they both went to the war. During their absence, they conducted their freight business through hired help, but discontinued the passenger business, although it had been

conducted two years successfully, and profitably. They now operate both freight routes under authority of the Commissions of Nevada and California. They report almost daily requests for passenger transportation, but have declined this for lack of authority. In two or three instances, they took passengers as a matter of accommodation, making no charge for the service.

Mr. Gefeke began operation July 1, 1918, in connection with his mail contract for four years, ending July 1, 1922. He has a certificate from the Nevada Commission authorizing him to carry passengers, express, and freight via Sweetwater between Minden and the California line, which is about 14 miles from Bridgeport, the total distance between Minden, via Sweetwater, and Bridgeport being about 85 miles. He has never applied for or procured authority for his operation in California.

Bridgeport, which is the county seat of Mono County, is some 60 miles from the nearest railroad point, and must rely upon trucks and stages for transportation.

Anderson Bros. have been serving Bridgeport as authorized carriers of freight continuously for several years and appear to be well equipped to furnish passenger service, which they were obliged to suspend by reason of the war. The Coleville route is usually blocked by storms during about the first three months of each year. The service via Coleville is during the open season of about nine months, but the service via Sweetwater is operated throughout the year. The proposed passenger service would be added to the present service. Of the Coleville route a majority of the distance is in California.

Beside the oral testimony presented, Anderson Bros. presented a petition signed by 24 residents of Bridgeport, one each from Bodie and Wellington, and 6 from Sweetwater, requesting that authority be granted to Anderson Bros. as prayed.

Apparently there is not sufficient demand for freight or passenger service in the territory referred to to justify the operation of two lines. In selecting the operator to be authorized, we naturally select in this instance those who have complied with the requirements of the law and the Commission rather than one who has violated the law in operating without authority, although Mr. Gefeke is obliged, under his mail contract, to come to Bridgeport daily, and very little of his Sweetwater route lies within the State of California.

ORDER

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 L. N. Anderson and H. G. Anderson, partners under the name and style of Anderson Bros., of an automobile passenger stage service between Bridgeport, Mono County, California, and the State line north of Topaz, serving as intermediate points Fales Hot Springs, Junction, Toll House, Coleville, and Topaz; also between Bridgeport and the State line at a point near Jones Ranch, serving as intermediate points Walker River Bridge and Jones Ranch; but public convenience and necessity do not require the operation by O. B. Gefeke of passenger, express, or freight service between any of said points.

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 fifteen days from the date hereof, file with the Railroad Commission their schedules and tariffs covering said proposed service, which shall be in addition to proposed schedules and tariffs 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 thirty days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effective until and unless the above mentioned schedules and tariffs are filed within the time herein limited.

IT IS HEREBY FURTHER ORDERED that Application No. 7156 of O. B. Gefeke be and it is hereby denied.

Dated at San Francisco, California, this 28th day of October, 1921.

H. B. Bendigo
H. D. [unclear]

[Signature]
Commissioners.