

ORIGINAL

Decision No. 34662

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
WILLIAM CALLAHAN, for a certificate)	
of public convenience and necessity)	
to operate a passenger service as a)	Application No. 24494
common carrier between Polaris Flight)	
Academy and Lancaster, California,)	
and return.)	

BY THE COMMISSION:

O P I N I O N

William Callahan, an individual, seeks authority by this application, as amended, to establish passenger stage service for the transportation of passengers, baggage and express shipments between Lancaster and Polaris Flight Academy.

The applicant represents that Polaris Flight Academy, a California corporation, has just begun to operate a school for the training of airplane pilots pursuant to a contract with the British Government under the so-called "Lend Lease Bill."⁽¹⁾ The Academy is located about five miles due west of Lancaster on California State Highway No. 138. The applicant alleges that the Academy has expended about \$400,000 on the project and that the training program calls for some 200 flying cadets to be undergoing training at all times during the emergency.

In addition to the cadets who will reside on the Academy premises, there will be resident instructors, mechanics, cooks and

(1) By an agreement executed on October 8, 1941, the corporation undertakes to subsidize the proposed operations of the applicant. A copy of the agreement is attached to the application as Exhibit "E."

other personnel. It is asserted there will be considerable traveling from and to the town of Lancaster by all persons connected with the Academy, as well as persons visiting cadets and those having business with the Academy, and that there are no stage lines or other public carriers now operating between those points.

Applicant proposes to operate a 1938 Ford school bus, with three regular schedules of service daily in each direction between Lancaster and the Academy, except Sundays and holidays, and on the latter days he proposes to operate an "on call" service between the hours of 8:00 A.M. and 11:45 P.M. for four or more fare-paying passengers. His proposed one-way fare is 5 cents, with no reduction for round-trip movements. Baggage not exceeding 40 pounds will be transported at no extra charge but baggage weighing in excess of 40 pounds will be charged for at the rate of one cent per pound subject to a minimum charge of 25 cents. Express shipments weighing not to exceed 100 pounds will also be handled by the applicant.

This is not a matter in which a public hearing is necessary, and based upon the foregoing evidence, the Commission is of the opinion and finds that public convenience and necessity require the establishment of passenger stage service between Lancaster and the Polaris Flight Academy for the transportation of persons, baggage and express. The application will be granted.

O R D E R

Based upon the foregoing opinion and the Commission's finding that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to William Callahan authorizing him to establish and operate a service as a passenger stage corporation, as defined by Section 2½ of the Public Utilities

Act, for the transportation of passengers, baggage and express between Lancaster and Polaris Flight Academy subject to the following condition:

William Callahan, his successors or assigns, may never claim before this Commission, or any court or other public body, a value for the authority hereby granted in excess of the actual cost thereof.

IT IS FURTHER ORDERED that, in the operation of the passenger stage service authorized herein, William Callahan shall comply with and observe the following service regulations:

1. File with the Commission within thirty (30) days from the date hereof a written acceptance of the certificate herein granted.
2. File in triplicate with the Commission, and within sixty (60) days from the effective date hereof upon not less than ten (10) days' notice to the Commission and to the public, tariffs and time schedules consistent with the fares and offer of service set forth in exhibits attached to the application, as amended.
3. Commence the service herein authorized within sixty (60) days from the effective date hereof.
4. Subject to the Commission's right to change said route at any future time, the services herein authorized shall be conducted over and along California State Highway No. 138.
5. Applicant shall comply with and observe the provisions of General Order No. 93-A insofar as they are applicable to the operations herein authorized.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 14th day of

October, 1941.

[Signature]
[Signature]
Justin J. Callahan
Francis D. Havens
[Signature]
 COMMISSIONERS