

ORIGINAL

Decision No. 35457

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the joint Application)
of FRED C. COLLINS to sell, and ORANGE)
BELT STAGES, INC., a corporation, to)
purchase, certain passenger stage)
operative rights for the transportation)
of passengers, baggage and express)
between Bakersfield and Wasco; and the)
application of ORANGE BELT STAGES, INC.)
for a certificate of public convenience)
and necessity between Shafter and)
Bakersfield, via Lerdo.)

Application No. 24891

BY THE COMMISSION:

O P I N I O N

Fred C. Collins and Orange Belt Stages, Inc., a corporation, have joined in an application requesting authority for the former to sell, and the latter to purchase, certain operative rights for the transportation of passengers, baggage and express between Bakersfield and Wasco and intermediate points, via Rosedale and Shafter. In the same application Orange Belt Stages, Inc. requests a certificate of public convenience and necessity to operate as a passenger stage corporation between Bakersfield and Shafter and intermediate points via Lerdo. Authority is also requested for the consolidation of the rights to be acquired and granted, and for the operation of through equipment on the consolidated rights.

The operative rights proposed to be transferred were acquired by Fred C. Collins through purchase from M. Roe under authority of Decision No. 32829. Orange Belt Stages, Inc. operates a passenger stage service between Bakersfield and Paso Robles, via Lerdo, Famoso and Wasco, by virtue of authority

granted in Decision No. 28777, dated May 4, 1936.

Applicants entered into a written agreement on February 6, 1942 under the terms of which Collins was to lease to Orange Belt Stages, Inc. the operative rights herein involved, with option of lessee to purchase at the end of six months.

The application sets forth that by the acquisition of the operative rights between Bakersfield and Wasco and the granting by the Commission of a new operative right between Bakersfield and Shafter, applicant, Orange Belt Stages, Inc., will be in a better position to provide an adequate service in this territory. It is further alleged that by a coordination and through operation in conjunction with its existing operation, applicant will be enabled to better meet the needs of public convenience and necessity in the entire territory from Bakersfield to Paso Robles and intermediate points.

The new route proposed to be established between Bakersfield and Wasco, via Lerdo and Shafter, will in its operation, result in additional service between Lerdo and points in the San Joaquin Valley north of Lerdo through connection with Pacific Greyhound Lines at Lerdo.

Proposed passenger and express rates and time schedules are attached to the application and made a part thereof.

Other public carriers operating in this area were duly served with copies of the application and no objection was made to the granting of the certificate, the transfer of the operative rights, or the consolidation asked for. Under these circumstances there does not appear to be any necessity for a public hearing.

The Commission is of the opinion and finds that public convenience and necessity require that the authority to transfer the operative rights in question should be granted; that a certificate of public convenience and necessity should be granted to Orange Belt Stages, Inc. authorizing a passenger stage service between Bakersfield and Shafter, via Lerdo; and that authority should be issued for the consolidation of the foregoing operative rights. It will be so ordered.

O R D E R

Based upon the evidence of record and the findings and conclusions contained in the foregoing opinion:

IT IS HEREBY ORDERED,

(1) That Fred C. Collins is authorized to transfer to Orange Belt Stages, Inc. the passenger stage operative rights between Bakersfield and Wasco and intermediate points, via Shafter, acquired by him in Decision No. 32829.

(2) That Orange Belt Stages, Inc. is authorized to acquire the operative rights referred to in (1) above and to conduct a passenger stage service commensurate with said rights.

(3) That a certificate of public convenience and necessity is hereby granted to Orange Belt Stages, Inc. authorizing the establishment and operation of a passenger stage service between Bakersfield and Shafter and intermediate points via Lerdo.

(4) That the operative rights herein granted or acquired shall be consolidated subject to the following limitations:

- (a) No passengers, baggage or express shall be transported locally between Bakersfield and Lerdo and intermediate points.

(b) No shipment of express may be accepted for transportation that exceeds 100 pounds in weight and all shipments shall be transported on passenger vehicles only.

(c) Orange Belt Stages, Inc., its 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.

(5) That Orange Belt Stages, Inc. is authorized to operate its equipment through between points on the consolidated operative rights between Bakersfield and Wasco via Lerdo or via Rosedale, and points on the operative right under lease described herein between Bakersfield and Paso Robles.

IT IS FURTHER ORDERED that in the operation of the foregoing passenger stage service Orange Belt Stages, Inc. shall comply with and observe the following service regulations:

Subject to the authority of the Commission to change or modify them at any time by further order, conduct said service herein authorized over and along the following routes:

- (a) Between Bakersfield and Wasco via Rosedale Highway, Shafter Highway, Santa Fe Road, Wasco Avenue, Poso Drive and "F" Street in the city of Wasco.
- (b) Between Bakersfield and Shafter via U. S. Highway No. 99 and Lerdo Highway.

- (b) In operating over and along the foregoing routes, motor vehicles may be turned at termini, stations or intermediate points, either in street intersections, or by operating around a block contiguous to an intersection in either direction as required by local traffic regulations. Any combination of the above routes may be used.

- (c) Comply with the rules of the Commission's General Orders Nos. 79 and 80 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective tariffs and time schedules as shown on Exhibits "C" and "E", inclusive, attached to the application.

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

Dated at San Francisco, California, this 9th day of June, 1942.

Justice J. Peckman
Ray H. Curry
A. B. ...
Richard ...
COMMISSIONERS