

Decision No. 35608

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
KATHERINE KEHLER and JOE OLIVIERA,)
co-partners doing business under the)
firm name and style of JOE'S TAXI,)
for certificate of public convenience)
and necessity to operate as common)
carriers of passengers, baggage and)
express between Carmel and Rancho)
Carmelo and Robles Del Rio Lodge in)
Carmel Valley.)

Application No. 25047

BY THE COMMISSION:

O P I N I O N

By this application in its original form Katherine Kehler and Joe Oliviera, allegedly co-partners, doing business as Joe's Taxi, sought a certificate of public convenience and necessity authorizing them to operate as a common carrier of passengers, baggage and express between Carmel and Rancho Carmelo and Robles Del Rio Lodge in Carmel Valley. It now appears by supplemental application that the co-partnership was dissolved on March 2, 1942, and that Joe Oliviera alone desires to engage in this operation. Through inadvertence, applicant's attorney did not observe this error until after the application had been filed. Under the circumstances, Joe Oliviera will be substituted for the partnership as the sole applicant in this proceeding.

Applicant operates a taxi business in the city of Carmel and proposes to use in this operation one 12-passenger Buick Stage, and one 7-passenger Buick Sedan. It is alleged in the application, as justification for the granting of the certificate, that Carmel Valley is without public passenger

carrier service of any kind and that the six hundred inhabitants of the valley must rely on their own automobiles for transportation between Carmel and points in the valley. As to that, the Commission's records show that B. W. Robb, operating under the fictitious name of Tassajara Hot Springs Stage, and traversing a route between Rancho Carmelo and Salinas, overlaps a small portion of the route herein outlined. However, Mr. Robb has furnished the Commission with a signed statement to the effect that he will not oppose the granting of the instant application.

Three schedules each way daily are proposed in an exhibit accompanying the application, and one way and round-trip fares of 50 cents and 75 cents, respectively, are fixed between Carmel and Rancho Carmelo. Express packages would be limited to a weight of fifty pounds.

The service here proposed appears to be a necessary one and we are of the opinion that a public hearing is not necessary. The application will be granted.

ORDER

Application having been filed in the above-entitled matter, the Commission being duly advised, and finding that public convenience and necessity so require:

IT IS ORDERED that Joe Oliviera, doing business as Joe's Taxi, be substituted as applicant herein, in lieu of Katherine Kehler and Joe Oliviera, as co-partners.

IT IS FURTHER ORDERED that a certificate of public

convenience and necessity is granted to Joe Oliviera, doing business as Joe's Taxi, authorizing the establishment and operation of service as a passenger stage corporation, as defined in section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of passengers, baggage and shipments of express weighing not to exceed one hundred pounds each, on passenger carrying vehicles, between Carmel and Rancho Carmelo and Robles Del Rio Lodge, and intermediate points in Carmel Valley, California, subject to the following condition,

Joe Oliviera, 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 said passenger stage service Joe Oliviera shall comply with and observe the following service regulations:

1. File a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Comply with the rules of the Commission's General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public.
3. Conduct said passenger stage service over and along the following route or routes subject to the authority of the Commission to change or modify them at any time by further order,

Beginning at the bus station at Sixth and Dolores, thence east on Sixth for one (1) block, thence south on San Carlos to Santa Lucia, thence in a southerly direction on Rio Road past the Carmel Mission to State Highway Number One, thence along said highway for about one quarter ($\frac{1}{4}$) of a mile in an easterly direction, thence in a south-

easterly direction on the Carmel Valley County Road for a distance of approximately eight (8) miles to the Carmel Valley Farm Center, and continuing in the same direction on said Carmel Valley County Road for a distance of approximately eight (8) miles to Rancho Carmelo, and thence doubling back toward Carmel for one and one-half (1½) miles and turning in a westerly direction on to the road leading to Robles Del Rio Lodge which is approximately one (1) mile from the Carmel Valley County Road, and thence returning to Rancho Carmelo, and thence back to Carmel via the Carmel Valley County Road.

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

Dated at San Francisco, California, this 24th day of July, 1942.

Ray L. Ciley
H. G. Baker
Francis R. Henderson
Richard Jackson
COMMISSIONERS