

Decision No. 35822**ORIGINAL**

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of BALLARD )  
 JENKINS, doing business under the firm name )  
 of JENKINS MOTOR CO., for a certificate of )  
 public convenience and necessity to operate ) Application  
 as a common carrier for the transportation ) No. 25246  
 of passengers and their baggage between Indio, )  
 Coachella, Trading Post (U.S.O. Club), Sandy )  
 Korner and Thermal, California, and intermed- )  
 iate points. )

BY THE COMMISSION:

O P I N I O N

By his application in this proceeding Ballard Jenkins, an individual doing business as Jenkins Motor Co., seeks a certificate of public convenience and necessity under Section 50 $\frac{1}{2}$ , Public Utilities Act, authorizing operation as a passenger stage corporation, as defined by Section 2 $\frac{1}{2}$  of that Act, between Indio, Coachella, Trading Post (U.S.O Club), Sandy Korner and Thermal and intermediate points. The service is essential, so applicant alleges, to facilitate the transportation of those employed in the construction of an Army base situated near Thermal, who now must rely upon private automobiles. A stage service, it is said, would permit the conservation of both tires and equipment.

To provide this service applicant will use one G.M.C. 1942 model bus with a seating capacity of 34 passengers, and such additional equipment as may be required. The proposed single one-way fares range from 15 cents to 25 cents. Between the hours of 6:00 A.M. and 8:00 A.M., and between 4:00 P.M. and 6:00 P.M. daily, when the heaviest movement occurs, an on-call service would be furnished.

Applicant conducts a similar service between Indio and

the United States Army Desert Training Center, situated approximately 30 miles east of that point. This was authorized by Decision No. 35291, rendered April 27, 1942, in Application No. 24932.

Although both Southern Pacific Company and Pacific Greyhound Lines provide passenger service between some of the points involved in the present application, neither carrier, it is alleged, maintains a local service between all of these points nor is either as well equipped as applicant to transport employees to and from the base during the peak periods mentioned. In our judgment a public need exists for the establishment of this service and the application, accordingly, will be granted. No public hearing appears to be necessary.

O R D E R

Application having been made as above entitled; and the Commission being of the opinion, and hereby finding, that public convenience and necessity so require:

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Ballard Jenkins, doing business as Jenkins Motor Co., authorizing operation as a passenger stage corporation, as defined by Section 2 $\frac{1}{2}$ , Public Utilities Act, for the transportation of passengers and baggage between Indio, Coachella, Trading Post (U.S.O. Club), Sandy Korner and Thermal and intermediate points, as an extension of, and to be consolidated with, applicant's existing operative rights.

Said certificate is granted subject to the following condition:

Ballard Jenkins, his successors or assigns, may never claim before this Commission or any court or other public body a value, for any purpose, for the certificate herein granted in excess of the actual cost incurred by him in securing said operative authority.

(2) That in the operation of said passenger stage service applicant shall comply with and observe the following service regulations:

1. Applicant shall 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. Applicant shall comply with the provisions of 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. Subject to the authority of this Commission to change or modify it at any time by further order, applicant shall conduct said passenger stage operations over and along the following route:

From Indio via U.S. Highway No. 99 to Coachella, Trading Post (U.S.O. Club), Sandy Korner, thence via Avenue 56 to Thermal (as alternate route from Sandy Korner via U.S. Highway No. 99 to Avenue 60, via Avenue 60 to Polk Street, via Polk Street to Avenue 56, thence via Avenue 56 to Thermal), via State Highway No. 111, connecting with U.S. Highway No. 99 at Coachella, thence U. S. Highway No. 99 to Indio.

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

Dated at San Francisco, California, this 6<sup>th</sup> day of October, 1942.

Justice J. Calver  
Francis J. Hayward  
Richard L. Tucker  
 COMMISSIONERS