

Decision No. 36777

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of NORTHERN)
TRANSPORTATION COMPANY, a corporation, for a)
certificate of public convenience and neces-)
sity authorizing the performance of a highway)
common carrier operation between Los Angeles,)
California and points and places on California)
Highway 127 between Baker, California and the)
California-Nevada State Line, including all)
intermediate points, and points and places)
within a radius of 15 miles of said highway.)

ORIGINAL

Application
No. 25547

In the Matter of the Application of LLOYD F.)
HARVEY for certificate of public convenience)
and necessity to operate a stage and truck)
service as a common carrier, between Yermo,)
California, and Death Valley Junction.)
California.)

Application
No. 25607

In the Matter of the Investigation by the)
Commission upon its own motion into the oper-)
ations of GUY S. ALEXANDER, doing business as)
BEACON TRANSPORT CO., as a highway common)
carrier and as a passenger stage corporation.)

Case No. 4678

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 36711, rendered November 16, 1943, in the above-numbered proceedings, a certificate of public convenience and necessity was granted to Lloyd F. Harvey authorizing the establishment of service, both as a highway common carrier and as a passenger stage corporation, between Yermo (and also Barstow as to certain commodities) and Death Valley Junction, and intermediate points, subject to certain restrictions. Paragraph 4 of the service regulations, contained in the order, provided that the service should be routed via U. S. Highway 466 from Barstow to Baker, and thence via California State Highway 127 to Death Valley Junction. In his application, Harvey sought permission to serve Tecopa, an off-route point situated four miles east

of California Highway 127, reached by a road diverging from the latter highway at a point some ten miles south of Shoshone, but through inadvertence, the order failed to extend such authority. The evidence offered at the hearing disclosed a need for the establishment of such a service by this applicant. The order, accordingly, will be modified to permit Harvey to serve Tecopa.

Good cause appearing,

IT IS ORDERED as follows:

(1) That paragraph (2) of the order contained in Decision No. 36711, rendered November 16, 1943, in the above-numbered proceedings, be and it hereby is amended to read as follows, viz.:

"(2) That a certificate of public convenience and necessity be and it hereby is granted to Lloyd F. Harvey, authorizing the establishment and operation of a service as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, serving the public both directly and as an underlying carrier for Railway Express Agency, Incorporated (an express corporation) for the transportation of general commodities (a) between Yermo and Death Valley Junction, and intermediate points, and (b) for the transportation of milk and empty milk carriers returning, between Barstow and Death Valley Junction, and intermediate points; and also authorizing the establishment and operation of a service as a passenger stage corporation, as defined by Section 2 $\frac{1}{4}$, Public Utilities Act, between Yermo and Death Valley Junction, and intermediate points; and also authorizing service, as such highway common carrier and as such passenger stage corporation, respectively, to and from the off-route point of Tecopa, situated

approximately ten miles south of Shoshone, and four miles east of California Highway 127."

(2) That subparagraph 4 of paragraph (5) of the order contained in said decision, comprising certain service regulations applicable to applicant Lloyd F. Harvey, be and it hereby is amended to read as follows:

"4. Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said highway common carrier and passenger stage operations over and along the following routes:

Via U. S. Highway 466 from Barstow to Baker; and via California State Highway 127 from Baker to Death Valley Junction; serving Tecopa via county road diverging from California State Highway 127 at a point approximately ten miles south of Shoshone."

(3) That in all other respects said Decision No. 36711 shall be and remain in full force and effect.

The effective date of this order shall be the date hereof

Dated at San Francisco, California, this 21st day of December, 1943.

Francis R. Havener
H. P. Baker
Justice J. Coe
Richard K. Baker
Emma Carr
COMMISSIONERS