

Decision No. 37441

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
C. O. LANDRUS, and J. W. LESLIE for )  
certificate of public convenience )  
and necessity to operate passenger )  
and baggage transportation by motor )  
bus service, as a common carrier, be- )  
tween Inyokern, Mojave, Tehachapi and )  
Bakersfield. )

**ORIGINAL**

Application No. 26228

C. O. LANDRUS and J. W. LESLIE in propria persona.

HERBERT CAMERON, for The Arvin Line and Inland Stages,  
protestants.

BY THE COMMISSION:

**O P I N I O N**

In this amended application C. O. Landrus and J. W. Leslie are requesting a certificate of public convenience and necessity for the operation of service as a common carrier for the transportation of passengers and baggage between the United States Naval Ordnance Test Station at Inyokern and Bakersfield, California. The application as originally filed provided for service to the intermediate points of Mojave and Tehachapi, but by amendment such intermediate stops were eliminated. The route as outlined is south on U. S. Highway 6 from Inyokern to Mojave, and thence northwest on U. S. Highway 466 to Bakersfield.

A public hearing was held before Examiner Gannon at Bakersfield on September 27, 1944, and the matter was submitted.

The only witness appearing in support of the application was C. O. Landrus, one of the applicants. His testimony was to the effect that he had discussed the matter with naval officers in

charge of the construction work at Inyokern and that they expressed the need for a service of the type proposed. Applicants had conducted an operation over the route in question for some two or three months, but discontinued the service and leased their bus to the contractors on a monthly basis.

Applicants propose to operate one and possibly two round-trips daily. They have two busses available for this service and propose to charge a one-way fare of \$2.75 between Inyokern and Bakersfield, and \$5 for the round trip. The distance is approximately 115 miles. It is alleged in the application that there are a large number of civilians employed in construction work at the Test Station, many of whom have their homes in Bakersfield.

The application was protested by The Arvin Line and Inland Stages. The Arvin Line operates a twice-daily passenger schedule between Bakersfield and Mojave on convenient schedules. Inland Stages holds an operative right for a through passenger service between Los Angeles and Bishop, via Mojave, and in April of this year acquired a passenger right between the United States Naval Ordnance Test Station at Inyokern and U. S. Highway 6, and intermediate points. This carrier now operates two schedules daily over U. S. Highway 6, one of which goes to Inyokern on both the north and south bound trips. The southbound schedules arrive at Mojave at 12:35 A.M., 11:40 A.M. and 12:40 P.M. One schedule each way connects with The Arvin Line at Mojave, thus affording ample service to employees of the government and others employed at Inyokern and residing at Bakersfield.

A witness for Inland Stages testified that in view of the increased population at the construction camp a conference had been held at Inyokern at which the government requested an adjusted

schedule for service between Inyokern, Mojave and Bakersfield and this was agreed to.

The record herein fails to prove public convenience and necessity for the service proposed by applicants. The record further shows that Landrus was granted a certificate of public convenience and necessity to operate a passenger stage service between Barstow and Douglas Aircraft Modification Center and intermediate points and deliberately failed and neglected to perform such service. Said certificate was granted on August 24, 1943 (Decision No. 36567), and Landrus testified that he ceased operation in less than sixty days, and did not propose to resume the service. Moreover, he had failed to file tariffs and time schedules, nor did he notify the Commission of the discontinuance of his service.

At the hearing on the present application, Landrus filed written request with the Commission to revoke the operating rights granted to him by Decision No. 36567.

A careful analysis of the record in this proceeding convinces us that public convenience and necessity do not require the proposed service, and the application will be denied.

### ORDER

The above application having been filed, a public hearing having been held, and the Commission being duly advised;

IT IS ORDERED that the above application is hereby denied.

Dated at San Francisco, California, this 31<sup>st</sup> day of October, 1944.

Richard L. Lach  
Justin F. Carney  
Francis D. Haverly  
Frank C. Cox  
Irving S. Powell  
COMMISSIONERS