

Decision No. 12394

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

- - - - -

In the matter of the application of )  
SEQUOIA NATIONAL PARK STAGE COMPANY )  
for certificate of public convenience )  
and necessity to operate passenger and )  
express service between Visalia and all )  
points east of Lemon Cove. )

Application No. 8937

Farnsworth, McClure & Burke by H.B. McClure  
for the applicant  
Power and McFadzen by Daniel McFadzen for Visalia  
Elec. Ry. Co., protestant.  
Karl A. Machetanz for the Exeter Chamber of Commerce  
Woodlake District and Lemon Cove  
Communities of Merryman and Elderwood, Protestants.

BY THE COMMISSION:

O P I N I O N

E. L. ASKIN and ORVAL OVERALL, doing business under the fictitious name of SEQUOIA NATIONAL PARK STAGE COMPANY, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile stage line as a common carrier of passengers and express between Visalia and all points east of Lemon Cove to Giant Forest, Sequoia National Park.

A public hearing was conducted by Examiner Satterwhite at Visalia, the matter was duly submitted and is now ready for decision.

Applicants propose to charge rates and to operate on a time schedule in accordance with exhibits "A" and "B" amended at the hearing, and to use a specially built Packard Twin Six passenger car and a White express truck.

This application is opposed by the Visalia Electric Railroad,

the Exeter Chamber of Commerce, Woodlake District and Lemon Cove and the communities of Merryman and Elderwood, the <sup>latter</sup> protestants being represented by Karl A. Machetanz, counsel at the hearing.

Applicants have for several years operated a passenger and express stage service from Lemon Cove into the Sequoia National Park, and now desire to extend this service to Visalia, primarily on the basis that Visalia is the logical and best community for the valley terminal.

Several witnesses testified in support of the application. The evidence of applicants was to the effect that Visalia offers better hotel accommodations than Lemon Cove to those who stop over night at this point on their way to the National Park, and that their baggage can be handled more conveniently and expeditiously. It was also shown that there are complaints as to the inconvenience of transferring passengers at Lemon Cove, and that requests are made for through service by many tourists and pleasure seekers on their way to the park. Applicants also offered some testimony to the effect that laundry destined for the park is occasionally delayed, and that it would be better for perishable supplies if they could be carried through without transfer at Lemon Cove.

The Visalia Electric Railroad operates between Visalia and Lemon Cove and to other points, and many passenger trains are operated daily in each direction between these points, and connections are made with the stages of applicants, both morning and evening. The testimony of this protestant rail carrier shows that its passenger traffic, due to the advent of the automobile, has steadily decreased, and they offered in evidence exhibits showing that there is now a deficiency of many thousands of dollars in its receipts from passenger service. The record shows, moreover, that in spite of the fact that it has operated at a loss, it has always maintained a satisfactory and

adequate service, that its cars and equipment are ample and modern, and that it has cooperated fully in facilitating the transfer of passengers and express with the applicants' stage line at Lemon Cove.

Witnesses for the protestants representing the communities who opposed this application, testified to the satisfactory service of the Visalia Electric Railroad and to their objection as to the establishment of the proposed extension of service as herein sought. It was shown by this protestant group of communities that the Visalia Electric Railroad has been a great factor in the development of the territory through which it operates, and will continue to be of great value in the further development of the territory through which it passes. It furnishes not only a necessary service to a large number of school children in the Lemon Cove District and the Union High School District, but also to a very large number of employees who work in the fruit packing houses located on this rail line east of Exeter.

The residents throughout the entire section served by the Visalia Electric Railroad are opposed to this proposed extension of the stage line of applicants, on the ground that any further diversion or curtailment of the passenger and express business would mean a serious crippling of and finally a discontinuance of its service.

After a careful consideration of all the evidence in this proceeding, we are of the opinion and hereby find as a fact that

public necessity and convenience do not require the establishment of an automobile stage line as a common carrier of passengers and express between Visalia and all points east of Lemon Cove to Giant Forest, Sequoia National Park, and said application should be denied.

O R D E R

A public hearing having been held in the above entitled proceeding, the matter having been duly submitted and the matter being now ready for decision,

IT IS HEREBY ORDERED that the above named application be and the same is hereby denied.

Dated at San Francisco, California, this 25<sup>th</sup> day of July 1923.

C. Seavey  
H. B. ...  
Egerton Shore

Commissioners.