

Decision No. 12476

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
F. H. Mountford and C. C. Rhodes for a  
Certificate of Public Convenience and  
Necessity to operate auto stage passen-  
ger service between Los Angeles and  
Trona, California, and various indus-  
trial plants located on Searles Lake  
or within a radius of ten (10) miles  
of said Lake.

Application No. 9102.

C. H. Tribit, Jr., for Applicants.

Warren E. Libby, for Pickwick Stage, Northern  
Division, Protestant.

W. H. Powell, for Packard Stage Line, Protestant.

W. H. Anderson, for Mojave-Randsburg Stage Line,  
Protestant.

Kidd & Hardy, by H. W. Kidd, for Motor Transit  
Company, Protestant.

F. E. Watson, for Southern Pacific Railway,  
Protestant.

S. W. Austin, for American Trona Corporation,  
Protestant.

BY THE COMMISSION:

O P I N I O N.

F. H. Mountford and C. C. Rhodes have made applica-  
tion to the Railroad Commission for a certificate of public  
convenience and necessity to operate auto stage passenger ser-  
vice between Los Angeles and Trona and industrial plants with-  
in a radius of ten (10) miles of Searles Lake.

A public hearing was conducted by Examiner Williams  
at Los Angeles.

Applicants propose to transport passengers from  
Los Angeles to Trona and other industrial points at Searles  
Lake upon a scheduled trip from either terminus on Mondays

only, but to add such other service during the week as may be demanded. Searles Lake is a body of water highly mineralized and from which a number of corporations extract soda, salt and other products. In addition, these companies have large land deposits of other chemical minerals for which there is demand throughout the country. The region is isolated on the east side of the Owens Valley arm of the Mojave Desert, and is served only by the Trona Railroad, (owned by the American Trona Corporation) which operates from its junction with the Southern Pacific at Searles to Trona and vicinity.

The main industry is that of the American Trona Corporation, although other important industries are the Burnham Chemical Company, Solvay Process Company, West End Chemical Company, and American Magnesia Company.

Applicant Mountford is the labor agent for the American Trona Company in procuring unskilled labor in Los Angeles for this industry. According to the testimony of Mr. S. W. Austin, Los Angeles Manager for this company, the Trona company alone requires approximately 400 employees to normally equip its operations. He further testified that the labor turn-over, approximately, at this plant is 500%, due in a measure to the isolation from labor markets and the ~~existence~~ of extreme heat from early spring until late in the fall. He also testified that the only market from which to recruit unskilled labor to advantage is the Los Angeles market, and that experience has demonstrated that there is great waste of money in attempting the transportation of this labor by rail, or by other methods involving change of vehicle, for the reason that nearly half of those employed and for which transportation is provided do not complete the trip,

but abandon their purpose at points of transfer. In other words, a great many accept employment in order to get the advantage of partial free transportation. Mr. Austin testified that the only method by which they could insure normal equipment of men at the plant was by direct and continuous automobile transportation between the points.

He further testified that the normal output of the plant has been 15,000 tons monthly, but that contract has been made requiring the delivery of 35,000 tons additional monthly of magnesite, and that it was absolutely necessary that the labor available be used by the industry. He further expressed the belief that this service would not be used by the general public except very infrequently. In fact it was admitted by applicants and by the witness, Mr. Austin, that the service would be almost exclusively for the benefit of the Trona Company and other industries at Searles Lake requiring labor in the Los Angeles market, and that the application was intended to bring the operation squarely within the law, as the industries themselves are to compensate the operators of the service for each individual transported.

Applicants propose to transport these passengers the entire distance, approximately 180 miles, in about nine hours, including a stop for luncheon at midday. The fare to be charged is \$7.50 one way with no round trip fare. It is further provided that baggage not to exceed 50 lbs. for each adult passenger will be carried free. The equipment now available consists of two - seven passenger touring cars, but applicants are prepared to add other vehicles. Applicants propose to do no intermediate business whatever, and so stipulated at the hearing.

The application was opposed by motor and rail

carriers on the ground that, combined, the motor carriers and their adequate equipment and service are prepared to deliver these passengers at Trona and that the Southern Pacific Railway maintains a daily service to Searles where a connection is made with the passenger service of the Trona Railroad. No protestant operates to Trona or within thirty miles of this point. To sustain auto carrier Protestants the Commission would require these passengers to be carried to Mojave by one carrier, there transferred to another for delivery at Randsburg, there transferred for delivery at Searles, from which point passengers must take the Trona railroad. Or if the service of protestant Mojave-Randsburg line was extended to Trona from Randsburg, as proposed by Mr. Anderson, no transfer at Randsburg would be necessary.

The most direct service is that of the Southern Pacific, which has lately established daily service out of Los Angeles each night connecting with the Owens Valley branch at Mojave, the branch connecting with the Trona railroad at Searles. This service involves also transfers at Mojave and Searles.

The record shows that there is adequate service between Los Angeles and Mojave over the lines of the Southern Pacific Railway and the Packard Stage Line. North of Mojave there is no direct service to Trona by automobile. In view of the desire of the applicants for a through service between Los Angeles and Trona, without any change, a certificate to operate from Mojave to Trona, which might reasonably be granted under the testimony herein, would not be acceptable to applicants. Their plan is to select the labor at Los Angeles and transport same to Trona without change, receiving as their only compensation the fare

charged for such transportation and which is paid by the Trona Company for the passengers and deducted from the earnings of the labor thus transported, according to the testimony of applicants and Mr. Austin. We cannot find that the record shows public necessity for the service proposed, but rather a private necessity of the applicants and the American Trona Company. For this reason we believe the application should be denied.

O R D E R

F. H. Mountford and C. C. Rhodes, having applied to the Railroad Commission for a certificate for public convenience and necessity to operate auto stage passenger service between Los Angeles and Trona and industrial plants located within ten (10) mile radius of Searles Lake, a public hearing having been held, the matter having been duly submitted and now being ready for decision:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity do not require the service as proposed herein by applicants F. H. Mountford and C. C. Rhodes, and that the application herein be, and the same hereby is denied.

Dated at San Francisco, California, this 14<sup>th</sup>  
day of August, 1923.

Ol. Seaver  
H. B. Brundage  
Dwight M. Austin