

trip fares between intermediate points and termini. Applicant also stipulated that his rate schedule would be recast so as to eliminate certain minor discriminations. The round trip rate between Victorville and San Bernardino is fixed at \$3.00.

Applicants propose to use a seven passenger automobile to begin with but are prepared to supply additional equipment if necessary. Applicants are young men who have been drivers upon other stage lines.

Applicants produced many witnesses in support of necessity of a stage service from Victorville to San Bernardino. R. D. Sperry, restaurant proprietor; Mrs. Nancy Sperry, a hotel proprietor; Charles P. Summers, hotel proprietor; C. S. Crane, real estate; Norman J. Webb, master mechanic of the Southwestern Portland Cement Company; A. E. Park, garage man, all of Victorville, testified as to the constant inquiry to them for stage accommodation between the points proposed. Mr. Crane is a supervisor of San Bernardino County and necessarily makes many trips between Victorville and San Bernardino. His testimony was that every trip he makes, he has from ten to fifteen requests to ride with him in his automobile. Mr. Crane testified that while he did not regard the establishment of stage service as an absolute necessity, he did believe it would be an abundant convenience and would be used by the public to such an extent that it would be profitable. Mr. Webb testified that he has sixty-five employees in the cement plant and that there is a turn-over of labor sufficient to contribute a large share of transportation to a stage line which he regarded as necessary. In addition to these witnesses W. E. Servis, a peace officer, living two and one-half miles south of the State Highway and five miles from a railroad station; Violet Lackyard, a resident on highway; J. E. Miller, a garage man living nine miles south of Victorville and J. A. Roesch, a garage man at Cajon, each testified as to numerous

inquiries for stage service and of an expressed desire on the part of many for a stage service.

Applicants propose to operate entirely between termini over the new State Highway. This highway follows at varying distances protestant Santa Fe lines for about half the distance from San Bernardino when it diverges and goes due north over the mountains several miles distant from and at a higher elevation than the railroad, to Victorville. For this reason there is a large population between Victorville and El Cajon that is remote from the service of protestant Santa Fe. In addition, according to witness, J.E. Miller, there were several hundred people west of the state highway who would use the line. Witness Roesch, who is clerk of the El Cajon school district, testified that the service would be used by a number of school children who attend either the Cajon school or high school at San Bernardino.

Applicants were opposed by the rail carriers on the ground that adequate railway service already exists. Of the several trains operated by protestant Atchison, Topeka and Santa Fe Railway and Salt Lake Railroad, there are but two that were urged by protestant as adequate in providing transportation between Victorville and San Bernardino. Both are Santa Fe trains, one leaving at 8:38 in the morning and the other at 5:05 in the afternoon. The rail routing for nearly twenty miles is far from the traveled highway and cannot be said to be available to those living between Cajon and Victorville. At other points south of Cajon, the railroad is distant from the highway, from one-half to a mile and a half. The population is largely along the highway and, hence, the rail service cannot be said to be adequate at all points for this population.

There was also a testimony by many witnesses that the train due at 8:38 A.M. southbound for San Bernardino was as a rule late, and that the variations in arrival and departure of this train caused those seeking transportation to find other means by private conveyances.

As against the almost uniform complaint of witnesses as to the lateness of this train, W. S. Cunningham, travelling passenger agent for the Santa Fe, testified that he had not heard complaint recently of delayed train service and did not know of this train being late at all. F. E. Middleton, general agent of the Union Pacific at Riverside, testified that the trains of the Union Pacific were usually on time reaching Riverside, where his headquarters are maintained. He further testified that during the year ending June 30th, 1923, the road had sold but 258 tickets, bringing a revenue of \$552.12 between Victorville and San Bernardino while during the first six months of the year 1922 403½ tickets had been sold between San Bernardino and Victorville with a revenue of \$863.49.

It is plain from the testimony introduced in this proceeding that residents of Victorville require a choice of service between Victorville and San Bernardino, and that the proffer of applicants meets their wishes in respect to hours leaving and returning.

We find, therefore, as a fact, that the service of protestants between Victorville and San Bernardino is not at this time adequate for the needs of the public in Victorville and between Victorville and San Bernardino, and that public necessity exists for the establishment of service proposed by applicant.

O R D E R

Carl D. Hodge and Joseph H. Santen, co-partners under the firm name of Hodge & Santen, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate passenger service between Victorville and San Bernardino, 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 require the establishment and operation of said service by applicants herein over and along the following route;

The State Highway between termini

and that a certificate of public convenience and necessity therefor be and the same hereby is granted, subject to the following conditions:

- I. - That applicants, Hodge and Santen, shall file within fifteen (15) days from date hereof, their written acceptance of the certificate herein granted, and shall file within thirty (30) days of the date hereof, duplicate tariff of rates and time schedules in accordance with General Order No. 51 of the Railroad Commission, and shall begin service within sixty (60) days from date hereof.
- II. - That applicants, Hodge and Santen, shall not sell, lease, assign or discontinue the service herein authorized, unless such sale, lease, assignment, or discontinuance shall have been authorized by the Railroad Commission.
- III. - That no vehicle shall be operated by applicants unless such vehicles are owned by applicants, or are leased under an agreement satisfactory to the Railroad Commission.

Dated at San. Francisco, California, this 7th
day of September, 1923.

C. C. Seamy

Egerton Shaw

J. F. Whittley
Commissioners