

WJE/McS

Decision No. 12629

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of)
 PICKWICK STAGES, Inc., a corporation,)
 for a certificate of public convenience :
 and necessity for the connecting up of :
 its Inland and Coast Routes between San) Application No. 9165
 Diego and Los Angeles, by crossing the :
 Coast Line from Oceanside to Bonsall via :
 San Luis Rey with the Inland line, and)
 vice-versa.)

Warren E. Libby, for Applicant.

E. P. Bromley, for J. G. Tucker,
Proprietor Fallbrook-Ocean-
side Stage Line, Protestant.

BY THE COMMISSION,

O-P-I-N-I-O-N

Pickwick Stages, Inc., a corporation, herein petitions the Railroad Commission for an order declaring that public convenience and necessity require the connecting up of its present operation via the Coast and Inland routes by the use of a highway between Oceanside and Bonsall, via San Luis Rey, the present authorized route connecting Oceanside with the Inland route operating between Bonsall and Oceanside via Vista to a point between Carlsbad and Oceanside.

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

It appears from the evidence that it is the desire of applicant to divert one schedule now operated over the Inland route between Los Angeles and San Diego over the proposed new route between Bonsall and Oceanside via San Luis Rey that a paved road may be

followed instead of an all dirt road, principally in adobe soil and difficult of operation in the rainy season. The proposed detour will also eliminate six miles of route and save approximately thirty minutes in running time over the present route. The number of passengers carried on the two trips proposed to be diverted to the new route averaged 1100 during the month of July, 1923, and include all passengers both through and local handled between Los Angeles and San Diego on the Inland Route trips proposed to be diverted.

The operative right covering the carriage of passengers between Fallbrook and Oceanside, via Vista (the present route) is set forth in the Commission's decisions Nos. 8029 and 9473 on Application No. 4767.

The granting of the application is protested by J. G. Tucker, proprietor of the Fallbrook and Oceanside Stage Line. Protestant has operated continuously since 1913 in the carriage of passengers and now operates two round trips daily carrying passengers and United States mail under a star route contract. Protestant operates over the same route between Oceanside and Bonsall as is herein desired by applicant and carries an average of slightly over one passenger per trip, and alleges that he has ample capacity available on his stages to handle all local business offering between Fallbrook and Oceanside via Bonsall and San Luis Rey. Applicant already holds operative rights between these points via Bonsall and Vista and offered to stipulate that no local business would be handled between Oceanside and Bonsall, via San Luis Rey, and no through passengers except those originating at or destined to points south of Oceanside or north of Fallbrook. This proposed stipulation was not acceptable to protestant, and was withdrawn.

It appears that the change in routing as regards through cars of the applicant is in the interest of the patrons served and that the application should be granted in accordance with certain conditions which will be later discussed.

The proposed route will be over paved highways and will reduce the time required for the through trip between San Diego and Los Angeles via the applicant's inland route by reason of the shorter mileage. Applicant originally proposed to charge the same rate as at present filed for the service between Fallbrook, Bonsall and Oceanside. The public is entitled to the benefit of a reduction in rates due to the shorter mileage and applicant amended the application at the hearing as regards rates by requesting the rate schedule which will appear as a portion of the following order.

Applicant does not propose to abandon the old route between Bonsall and Oceanside, via Vista, a portion of such route (between Bonsall and Vista) being continued as a part of the route for certain schedules on the Inland Route between Los Angeles and San Diego, and the remaining portion (from a point on the Coast Route between Oceanside and Carlsbad to Vista) being used by the local service of applicant between Oceanside and Escondido.

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A public hearing having been held in the above entitled proceeding, the matter having been duly submitted and the Commission being now fully advised and of the opinion that the application should be granted,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Pickwick Stages, Inc., a corporation, of an automobile stage line as a common carrier of passengers

between Bonsall and Oceanside, via San Luis Rey, as a portion of its through route between San Diego and Los Angeles via the Coast Route, San Diego to Oceanside, thence over the route herein granted between Oceanside and Bonsall via San Luis Rey, thence over the Inland route between Bonsall and Los Angeles.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same hereby is issued subject to the following conditions:-

1. Applicant is hereby required to file within ten (10) days from the date of this order its written acceptance of the certificate herein granted, such acceptance to state the date upon which operation will commence, which date shall be within thirty (30) days from the date of this order.

2. Applicant shall file within twenty (20) days from the date of this order, in duplicate, its tariff of rates and time schedules covering the through route herein authorized as a combination of the Coast and Inland routes via the detour herein authorized. The schedule of rates to contain the following one-way rates between the following specified points.

Between Fallbrook and Bonsall	- - - - -	\$0.35
" " " San Luis Rey	- - - - -	0.75
" " " Oceanside	- - - - -	1.00
" Bonsall and San Luis Rey	- - - - -	0.45
" " " Oceanside	- - - - -	0.65
" San Luis Rey and Oceanside	- - - - -	0.25

Any rate adjustment necessary on the through route herein authorized and applying to or from points north of Fallbrook or south of Oceanside shall also be made and duly filed in connection with the above specified local rates.

3. The rights and privileges herein granted shall not be transferred, sold, leased or hypothecated unless such transfer, sale, lease or hypothecation shall have first been duly authorized by written authority of this Commission.

4. No vehicle shall be operated under the authority hereby conferred by this certificate unless such vehicle is owned by applicant herein, or is leased by

applicant herein on a basis satisfactory to the
Railroad Commission.

Dated at San Francisco, California, this 19th day
of September, 1923.

Chauncey

Dwight M. Hartman
Egerton Shore

Commissioners

