

Public hearings herein were conducted by Examiner Williams at Los Angeles.

Applicants offer a service between Los Angeles and El Paso a distance of 859 miles at a rate of \$22.50 per passenger with the usual one-half fare for children under twelve years. The schedule calls for two trips weekly by way of Blythe, Phoenix, Ariz., and Lordsburg to El Paso, Texas. No passengers are to be carried between points within the state of California except those boarding the stage at Blythe for points east of California. Equipment offered by applicant consists of six touring cars of eight passenger capacity. Applicants base their claim of necessity for the service on the demand of the public for automobile transportation for this distance. In support of their application applicants produced many witnesses from various points to prove the demand for the service proposed. These witnesses were from Phoenix and Quartzite, Ariz., and El Paso and Los Angeles. These witnesses were familiar with the interstate service which has been conducted by applicants for eight months previous to the time of hearing and their testimony generally was as to its maximum patronage, efficiency and reliability. Witnesses from El Paso and Los Angeles were mostly labor agents who testified that there is a demand on the part of Mexican laborers for transportation between these termini due to the shifting of labor from one field to another, particularly in the harvesting seasons of cotton in Arizona and Texas and the labor demands in California.

The service which applicants have been conducting

seems to have been conducted satisfactorily and to have been abundantly patronized but there cannot be said to have been abundant proof that there is need of this service in California, particularly in Los Angeles the one point in the state from which passengers are to be drawn except the fact that applicants testified they had had good patronage. However, much of this patronage according to the testimony was at a less rate than is proposed in the present application and frequently at varying rates according to the methods by which applicants secured their passengers.

Applicants were also applicants before the Corporation Commission of Arizona for a certificate to operate from the California side of the Calazona Ferry to the New Mexico state line. At the final hearing in this matter it appeared, through a showing by protestant Southern Pacific Railway, that their application had been denied. This protestant received permission to file with the commission in this proceeding any order of the Arizona Corporation Commission disposing of the application of applicants herein pending before the Arizona authorities. Under date of March 26th protestant Southern Pacific Railway filed with the commission in this proceeding a certified copy of the decision of the Arizona Corporation Commission, Docket No. 1840-A-791 involving the application of applicants herein under the fictitious name of the Overland Stages. The decision in this matter denied the applicants a certificate to operate in any part of the State of Arizona.

In view of this decision and in view of the fact that applicants do not intend to transport any passengers between

points in California it appears futile to grant a certificate to them to operate a service which must necessarily transport a passenger to the state line of Arizona where applicants are denied the privilege of entering that state as a common carrier. Any interstate service using the public highways of the State of California should first show that its method of transportation beyond the borders of the state provides for the reasonable certainty of the delivery of the passengers so received at the destination sought by them. In this case applicant could only transport passengers from Los Angeles, or Blythe, to the Colorado River and the passengers could have no assurance that further service offered, at the rates provided, could be performed by applicants.

Under the circumstances and basing our finding upon the record in this proceeding we hereby find as a fact that public convenience and necessity do not require the establishment of the service as proposed by applicants herein.

O R D E R

Frank C. Lloyd and Chas. Conner, co-partners, doing business under the name of the Overland Stages having made application to the Railroad Commission for a certificate of public convenience and necessity to operate passenger, express, baggage and package service between Los Angeles and a point on the state line four miles east of Blythe, known as Calazona Ferry in connection with through stage to El Paso, Texas, public hearings 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 re-

quire the service as proposed by applicant herein and that the application be and the same hereby is denied.

Dated at San Francisco, California this 2nd
day of July, 1924.

C. Leavelle
H. B. Brundage
Dwight Matson

Commissioners