

**ORIGINAL**

Decision No. 14179

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SOREN SORENSEN for a Certificate of )  
 Public Convenience and Necessity to )  
 operate an express service from )  
 Solvang to Los Olivos and from Los )  
 Olivos to Gaviota and intermediate )  
 points, and passenger service from )  
 Gaviota Station to Los Olivos and )  
 Intermediate points. )

Application No. 9610

S. H. Lyons for Applicant.  
 W. T. Passengill for Pacific Coast Railway.  
 Warren E. Libby for Pickwick Stages and  
 Edelblute Truck Line, Protestants.

BY THE COMMISSION:

O P I N I O N

Soren Sorensen has made application to the Rail-  
 road Commission for a certificate of public convenience and  
 necessity to operate an express service between or from  
 Solvang to Los Olivos, and from Los Olivos to Gaviota and  
 intermediate points, and a passenger service from Gaviota  
 Station to Los Olivos and intermediate points.

A public hearing herein was conducted by Examiner  
 Williams at Solvang.

Applicant proposes to establish an express and  
 freight service from Solvang, north to Los Olivos by way of

Ballard and return to Solvang via Santa Ynez, thence from Solvang via Buellton and Los Cruces to Gaviota. This service is to be a morning service exclusively for express and freight, leaving Solvang at 8 o'clock A. M. and completing the trip at 11:50 at Gaviota. At 12:40 applicant proposes to return, carrying freight, express and passengers. The passenger service is to be exclusively a one-way service from Gaviota to all the points named. Applicant proposes to use a small truck with a capacity of three passengers, or a small touring car of 1917 production, to the capacity of five passengers. If the service were established, applicant would not be able to transport more than three passengers on the trip, <sup>on</sup> which he also will transport United States mail, express and freight. The basis of the operation proposed by applicant is his contract with the United States Government for the transportation of mail to and from Gaviota, where connection with the Southern Pacific north and south bound trains is made. No offer of service is made to transport passengers from any of the points to Gaviota, nor to make connections with trains north or south bound. Applicant on the witness stand, testified that he had frequent demands to transport passengers from Gaviota to Santa Ynez Valley, and has many demands for the transportation of freight and express matter from this point. Gaviota is a station on the Southern Pacific Railway where a hamlet exists of possibly not to exceed one hundred population. Because of its location on the State Highway and the railroad it is a trade center for a considerable distance inland.

and freight and express are also left there for transportation to inland points. Applicant also testified that there is demand at Gaviota for milk, eggs and other supplies from the Santa Ynez Valley.

Applicant testified that he had checked the L.C.L. shipment by Southern Pacific of Gaviota and that it amounted to about forty five tons a month in both directions. Practically all of the tonnage coming into Gaviota by rail, he testified, is consigned to points which he proposes to serve, and that its transportation to those points has been either by vehicle of consignees or by the Edelblute Line; service to be daily, including Sunday.

Applicant was supported by a number of witnesses who testified that the service now maintained by the Edelblute Express between Santa Barbara, Gaviota and the Santa Ynez Valley points is operated only twice weekly and that it does not meet the needs of the valley shippers. These witnesses included Eduardo de la Questa, George Christensen, Alfred Fauerso, T. P. Hornsyld and W. T. Passengill of San Luis Obispo, Superintendent of the Pacific Coast Railway. According to Mr. de la Questa, who frequently travels from Solvang to Santa Barbara, at Gaviota he finds no passenger service to his destination at Solvang. He also testified that he usually ships small stuff, but often perishables and machinery, frequently in ton lots. He has used the passenger service of the Pickwick Stages, which operates between Gaviota and Buellton over the State

Highway several times daily, and there makes connection with the Pickwick service between Lompoc and Santa Ynez, which service is twice daily in each direction. He regarded the Pickwick service as unsatisfactory because it does not make any close connections with the train service at Gaviota, nor with the transfer service between Lompoc and Santa Ynez.

Mr. Christensen testified that the proposed service of applicant would benefit him in the delivery of the transportation of bread to Los Olivos, Santa Ynez, Ballard and Buellton. He said he had tried Pickwick service but it was so irregular that it was of no benefit, and its only service now available is late in the afternoon.

Mr. Fauerso, Chairman of the Business Men's Association of Solvang, and also a director of the Farm Bureau, testified that the service now in existence by Pickwick and Edelblute Express is not sufficient, particularly in times of harvest, when machinery repair parts are needed in haste. A daily service to Los Olivos, he testified, would permit shipments of perishables, milk and eggs, from the Pacific Coast Railway to the north, thus opening a market for the Santa Ynez Valley products at San Luis Obispo and Santa Maria.

Mr. Hornsyld testified that many land seekers came to Gaviota in order to reach the Santa Ynez Valley, and could find no means of transportation except the infrequent through service of the Pickwick Stages and the connection at Buellton. A daily service to Gaviota, he

believed, would aid in the marketing of perishable commodities produced in the valley.

Mr. Passengill testified the maintenance of a service between Solvang, Santa Ynez, Ballard and Los Olivos would enable producers of butter, eggs, milk and cream to reach a rail carrier that would distribute shipments as far north as Port San Luis and enlarge the marketing ability of the producers; also, the service would distribute shipments from the north, delivered at Los Olivos by the Pacific Coast Railway.

Protestants, Pickwick Stages and Edelblute Line, offered a stipulation to withdraw opposition if the applicant would accept a certificate limited to express matter and passengers, but excluding freight, and effective only during the period applicant holds contract for transportation of United States mail. This stipulation was rejected by the applicant.

Protestant, Edelblute Express, through the testimony of J. L. Edelblute, showed that the traffic available for transportation by this carrier between Gaviota and Santa Ynez Valley points had been so reduced in volume that applicant had reduced his service from thrice to twice weekly. Edelblute testified that he has two trucks and trailers available for duty under his operating right, and that the volume of tonnage between January 1, and June 30, 1924 aggregated only 33,590 pounds, or an average of 375 pounds per trip, and, further, that the business now being done is unprofitable. Edelblute testified that he had ceased last

May waiting for the arrival of the Southern Pacific train No. 77, which reaches Gaviota at 12:29 noon, because for months previous to that time nothing had been delivered to him from the train. He further testified that during the six months previous to the hearing he had not received more than six hundred pounds of express matter altogether.

Protestant.Pickwick Stages,introduced no other testimony than its time tables and rates between Gaviota and Buellton and its twice daily service between Buellton and Santa Ynez.

Considering all the testimony produced by the applicant and protestants, the necessity for all the service proposed by applicant is not established. We believe, however, that enough was established to justify granting certificate to applicant to operate a passenger and express service as proposed by him, with certain modifications, this service to be conducted only upon such vehicles as he may use in transporting United States mail, except freight in any quantity moving between Solvang, Santa Ynez, Ballard, and Los Olivos, and that passenger service will be given both to and from Gaviota from the points stated in the order.

Upon the record as herein made, we find as a fact that public convenience and necessity require the service proposed by applicant, with modifications shown in the order following:

ORDER

Soren Sorensen having made application to the Railroad Commission for a certificate of public convenience and necessity to operate passenger and express service between Solvang, Los Olivos and Gaviota and points intermediate, 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 service by applicant as follows:

Passenger service between Gaviota and Solvang, Santa Ynez, Ballard and Los Olivos, and no other points, in both directions;

Express package service limited to packages or parcels of not more than fifty pounds weight, between Gaviota and Solvang, Santa Ynez, Ballard and Los Olivos;

Freight service unlimited as to weight, between Solvang, Ballard, Los Olivos and Santa Ynez, and no other points;

over and along the following route:

From Solvang to Los Olivos via Ballard, thence to Santa Ynez, thence returning to Solvang, thence from Solvang to Buellton over main County Highway, thence from Buellton to Gaviota via State Highway and returning over the same route via Buellton to Solvang,

and,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity

therefor be and the same hereby is granted, subject to the following conditions:

- I. That applicant shall file within fifteen (15) days from date hereof his written acceptance of the certificate herein granted with the understanding that passenger or express service conducted by him hereunder shall be conducted only upon such vehicle as he may use in transporting United States mail between any of the points named herein; and that a passenger service is to be given both to and from Gaviota and the points applicant is to serve, and that he may, in conducting express, transport only such articles as may be carried upon such vehicle as may be used by him for the transportation of United States mail; that freight, unlimited by weight be transported between Solvang, Santa Ynez, Ballard and Los Olivos upon the vehicles used by applicant to transport United States mail, or other vehicles of applicant; and that express matter may be transported between Solvang, Ballard, Santa Ynez or Los Olivos to Gaviota or reverse in quantities not exceeding fifty pounds in weight, and, further, that the certificate granted herein for such service shall not continue longer than the period for which applicant has contracted to carry United States mail between Gaviota and such other points, or may contract further to carry such mail, but shall at the expiration of such mail contract or renewal thereof, lapse and become void. Applicant shall further file within thirty (30) days from 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 the date hereof.
  
- II. That applicant 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 applicant unless such vehicles are owned by said applicant, or are leased under an agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 16<sup>th</sup>  
day of October 1924.

CC Weaver

H. B. Brundige

Erving Watson

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Commissioners.