

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 C. H. PENNOYER for a certificate of)
 public convenience and necessity)
 permitting him to extend his automo-)
 bile stage line service for the)
 transportation of passengers, their)
 baggage and freight, from Descanso) Application No. 11,162
 to Lake Cuyamaca and certain points)
 intermediate thereto, and to operate)
 said proposed line as an extension of)
 applicant's existing stage lines, and)
 affording a service from and to every)
 point thereon.)

BY THE COMMISSION -

OPINION AND ORDER

C. H. Pennoyer has petitioned the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of an auto service for the transportation of persons and property between Descanso and a point about 5 miles southeast of the community at Julian, and intermediate points, the operation to be conducted as an extension of applicant's existing operating right between San Diego and Descanso.

Applicant proposes to charge fares and rates in accordance with the schedule of fares and rates shown in Exhibit A, and to give service as shown in Exhibit B, both of which exhibits are attached to the application herein and made a part thereof. He proposes to use equipment now in use over his San Diego-Descanso route.

The route over which applicant Pennoyer proposes to operate extends in a northerly direction from Descanso to a point approximately sixteen (16) miles therefrom, via the communities at Oakzanta and Green Valley. The route as proposed is intended to provide service the year round, for the territory along the shores of Lake Cuyamaca, a winter and summer resort 56 miles

from San Diego. A hotel has been built at the lake and a postoffice is shortly to be established there for the benefit of hotel guests and the occupants of the cottages that have been built and others soon to be constructed. There are no regular means of transportation between the points proposed to be served by applicant Pennoyer, a fact attested by Pennoyer through several affidavits filed with the Commission in connection with the application herein. The territory was formerly served by Pickwick Stages, Inc., which operated a seasonal service along the lakeshore as a connecting link between its San Diego-Descanso and San Diego-Julian routes. This service was abandoned by Pickwick Stages, Inc., and the operating right revoked by the Commission on a showing that traffic did not justify the operation. Recent development activities at the lake are said by Pennoyer to have changed this condition and to have established the need for a transportation service operating throughout the entire year.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation of an automotive service for the transportation of passengers and express between Descanso and a point on the northerly line of Lake Cuyamaca about five miles southeast of Julian, commonly known as the end of Road District No.4, and intermediate points via Oakzanita and Green Valley, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be, and the same hereby is granted to C. E. Pennoyer, subject to the following conditions:

- 1- That the service authorized herein shall be operated as an extension to and as part of the operating right heretofore granted to C. E. Pennoyer in Decision No.14799, dated April 15,1925, on Application No.10666.

2- That the restrictions as to the weight of packages to be transported under authority of Decision No.14799, shall prevail in the service to be established by the Commission's order herein.

3- Applicant herein shall file with the Railroad Commission his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file, in duplicate, tariff of rates and time schedules within a period of not to exceed twenty (20) days from date hereof, such tariff of rates and time schedules to be identical with those attached to the application herein; and shall commence operation of said service within a period of not to exceed thirty (30) days from date hereof.

4- The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

6- For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 25th day of

June, 1925.

C. Leary

Egerton Shaw

George D. Squires

COMMISSIONERS.