

Decision No. 16681**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 YOSEMITE PARK & CURRY CO., a corporation,)
 for a certificate of public convenience)
 and necessity to consolidate and unify)
 the operative rights acquired under and) Application No. 12787
 by virtue of Decisions Nos. 13686, 13720)
 and 11763 of the Railroad Commission of)
 the State of California.)

BY THE COMMISSION -

OPINION and ORDER

Yosemite Park and Curry Co., a corporation, engaged in the resort business in Yosemite National Park and in connection therewith in the business of transporting persons and property over the highways of California under authority of the Railroad Commission as shown by certificates of public convenience and necessity issued from time to time by the Railroad Commission, by its amended application, has petitioned the Commission for an order declaring that public convenience and necessity require the consolidation of the various certificates under which service is now being given and the operation by the company of a unified service, the rates for said service to be the same as the rates now on file with the Railroad Commission in the name of the Yosemite Park & Curry Co.

Specifically the rights herein proposed to be consolidated so as to permit of unified operation are as follows:

Application No.	Decision	Date	
9107	13686	June 11, 1924,	Between Fresno and Wishon and
	13720	June 20, 1924,	Wawona for the transportation
			of passengers and hand baggage
			via Blackstone Avenue, Lane's Bridge,
			Bates Station, Coarse Gold, Wishon,
			Fourmile, a point on Wawona Road close
			to National Park boundary near Mariposa
			Big Tree Grove and Wawona Road; provided,
			however, that either of the following
			two routes may be used when road con-
			ditions necessitate:

1. Via Friant, Belleview, O'Neale, Wishon, Four-mile, a point on Wawona Road close to National Park Boundary near Mariposa Big Tree Grove, and Wawona Road.

2. Via Clovis, Auberry, South Fork, Wishon, Four-mile, a point on Wawona Road close to National Park boundary near Mariposa Big Tree Grove, and Wawona Road, provided that no passengers or baggage may be transported by applicant under the certificate unless such passengers or baggage originate at Fresno or Wishon, destined to Wawona, or originate at Wawona destined to Fresno or Wishon, the certificate expressly prohibiting transportation between any intermediate points whatsoever between Fresno and Wishon and Wawona.

Application Decision Mar. 6, 1923. Between Merced and the boundary of Yosemite National Park, via Mormon Bar, Wawona direct or via Miami Lodge and the Mariposa Big Trees, as a common carrier of passengers, baggage and express between May 1, and November 15, of each year; no local service being authorized between Merced and the point on the highway known as Mormon Bar or between Merced and Mariposa.
 No. 8492 No. 11763

Application Decision March 3, 1920 - Between Merced and Mariposa and intermediate points for the transportation of passengers and express (Right further defined in Decision No. 11487, Case No. 1790, dated January 9, 1923).
 No. 5052 No. 7207

In connection with the proposed consolidation of rights and unification of service it should be explained that because of the existence of the Merced-Mariposa right which was granted in Decision No. 7207 to C.C. and C.A. Schlageter, certain restrictions were placed by the Railroad Commission (as to service between these points) on the service authorized to be performed in the same territory by the Yosemite Big Tree Auto Company in Decision No. 11763. Passing of the ownership of the Schlageter right and the right granted to Yosemite Big Tree Auto Company to the Yosemite Park and Curry Co., applicant herein, eliminates the need for the service restriction.

The so-called Madera-Yosemite Big Tree Auto Company right was transferred to the Yosemite Park & Curry Co., in Decision No. 16526, dated March 19, 1926, and issued on Application No. 12604. The

Schlageter right was acquired by Decision No.15076, dated March 3, 1926, and issued on Application No.12556.

By Decision No.15986, dated February 11, 1926, Yosemite Park & Curry Co., acquired operating rights covering service between Mariposa and Briceberg and between El Portal, Yosemite, Glacier Point, Mariposa Grove of Big Trees, Mather, Hetch Hetchy and Tahoe but these rights are not involved in the present proceeding.

In support of its contention that public convenience and necessity require the consolidation of the operating rights and the unified operation as proposed herein, Yosemite Park & Curry Co. claims that

Consolidation and unification will result in increased efficiency of applicant's transportation system in the routing of passengers from point to point; will be a distinct public advantage in that it will permit persons desiring transportation, to be conveyed from point to point on any part of the system on one ticket instead of compelling them to purchase two or more tickets for the same service; will permit applicant to operate its transportation system with greater economy and efficiency, and also encourage the use of a better type of equipment.

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 consolidation of the operating rights more specifically described in the opinion and order herein and the operation by Yosemite Park and Curry Co. over such consolidated rights of a unified service for the transportation of passengers, baggage and express, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity authorizing such consolidation of rights and unification of service be and the same hereby is granted to Yosemite Park and Curry Co., subject to the following conditions:

- 1- That there shall be no express transported between Fresno and Wishon and Wawona over the routes authorized in Decisions No.13686 and 13720, which decisions limit the service to be performed between the points therein named to the transportation of passengers and hand baggage.
- 2- That there shall be no enlargement of the operating rights granted in Decisions No.13686 and 13720, with respect to the restrictions placed on service to and from points intermediate between Fresno and Wishon and Wawona.

3- Applicant, within ten (10) days from the date hereof, shall file a written acceptance of the certificate herein authorized.

4- Applicant, within a period of twenty (20) days from the date hereof, shall file, in duplicate, in the name of Yosemite Park and Curry Co. tariff of rates and time schedules covering the unified service to be performed under the order herein, which rates and time schedules shall be identical with those now on file with the Railroad Commission in the name of the Yosemite Park and Curry Co. or rates and schedules satisfactory in form and substance to the Railroad Commission.

5- 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.

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

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 10th day of May, 1926.

W. H. Brundage

C. Sawyer

Leon Whitell

COMMISSIONERS.

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