

doing business as the Pierce Arrow Stage Line, and operating between Sacramento and Placerville and other points via Orangevale and Folsom.

Public hearings on this application were conducted by Examiner Austin at Sacramento, the matter was duly submitted and is now ready for decision.

Applicant Zurfluh, in seeking the certificate of public convenience and necessity herein described and its consolidation with operating rights now held by him, proposes, in effect, the establishment by him of an automobile service for the transportation of passengers, baggage and express between Sacramento and Damsite, a point 5 miles east of Orangevale, in lieu of the service he is now giving - passenger service between Sacramento and Fair Oaks and express service between Sacramento and Orangevale - in other words, to give the same service to all the points served by him at present and to the additional point of Damsite.

Testifying in support of his application Zurfluh said that he did not proposed to serve the town of Folsom, which is across the American River from the dam and a point served by protestants Beverly Gibson and A. J. Richardson. His testimony was to the effect that there is now no service to Damsite though construction work on the dam has started, 12 to 15 men being now employed there. He said he had been advised that about 2000 men will be employed and that there will be need for passenger and express service. Between Orangevale and the Damsite, he said, there are very few scattered residences but at Orangevale and vicinity there is a population of about 1000. He has had requests for service between Orangevale and Sacramento. Protestant Richardson operates through the town of Orangevale on Greenback Lane east and west, testified Zurfluh. He proposes to run north and south. Most of the population is north of Greenback Lane, in territory extending back about one mile, which is not being served by the Richardson line. Applicant's line, according to his testimony,

will be closer to the center of population, about 1/8th of the population being south of Greenback Lane. He stated that the Pierce-Arrow (Richardson) schedules leave Orangevale too late to accommodate persons commuting to Sacramento to attend school or who are employed there.

Applicant Zurfluh described his proposed fares, express rates and time schedules, which accompany the application, and stated that his equipment consisted of one Packard 20 passenger car, one Packard 12 passenger car and one Hudson 8 passenger car. He said he would provide additional equipment, if necessary, when construction work commences on the dam.

Zurfluh testified that he carries express through Sunset Avenue and Orangevale and handles passengers beyond Fair Oaks to Orangevale by means of a taxicab service operated beyond Fair Oaks, occasionally using for this purpose the same car as that used from Sacramento. A taxicab meets every stage, but does not operate on schedule. The taxi is operated from once a week to once a month, the fares being too high to permit of its general use, most of the passengers using the Pierce Arrow stages beyond Fair Oaks, he said, because of the cheaper fares. Zurfluh said he does not advertise through service, nor sell through tickets. The present fare from Sacramento to Fair Oaks is 65 cents; Fair Oaks to Orangevale, by taxi, 25 to 50 cents. The proposed fare, Sacramento to Orangevale, is 75 cents.

The dam, according to the witness, is being built by Landis Bros. of Orangevale and Keefer of San Francisco, being designed for irrigation and power purposes. Witness said he could not state on which side of the river the construction camp will be located but said the headquarters will be about $3\frac{1}{2}$ miles from Folsom on the north side of the river near the county line between Sacramento and Placer counties. His stage will leave the Placerville Boulevard, turning off to the Damsite at

a point one half mile south of the center of Folsom.

Orangevale, the witness testified, covers more territory than Folsom, being about 3 x 2½ miles in extent. Orangevale is not incorporated. He stated the distances are about as follows:

Via Gibson's line - Sacramento to Folsom -	21 miles
From Folsom to the Damsite, 2½ miles, total -	23½ "
Applicant's line -	26½ "
From the Damsite to the fork of the roads -	2½ "

Harry S. Landis, witness for the applicant, described Orangevale as a colonization and irrigation project. There are 125 families in this colony, 60 per cent of whom are in the northern part. There are five residents in Cardwell Colony. He said all would be benefited by a stage service on the north side reaching Sacramento. Witness and his two brothers are interested in the proposed Damsite, being stockholders, but he is not a director. So far, the work has consisted of drilling operations in the riverbed to determine the character of foundation. The damsite corporation has been financed. The work will be pushed to completion, he declared, and about 2000 men will be employed. It is expected that the work will last from two to three years. He gave it as his opinion that to handle the labor turn-over and supplies, a passenger and express service is needed. He favored the route proposed by Zurfluh, saying that the proposed line will traverse the Orangevale district parallel to its longer direction, for a distance of three miles, serving 60 per cent of the population, while the Richardson line crosses the district and is, therefore, not so convenient to the greater proportion of the population. Further, he said, the Zurfluh line will serve shippers and the High School pupils. There is no High School at Orangevale, consequently some of the children go to Sacramento and some smaller children on the outskirts of the colony will use the stage to attend grammar school in Orangevale. Witness said there is a High School near Orangevale on Greenback Lane which operates one bus to Orangevale Colony, but not to surrounding territory. Very few grammar school

students go to Sacramento. There are a few residents of Orangevale employed in Sacramento. Students travel from Orangevale colony to Sacramento to business and private schools. The schedule of the present stage service is too late, he said, arriving at Sacramento at 9:45 A.M. Most of the students will commute. The express service to Orangevale will be used for handling fruits, supplies and household goods.

It was stipulated ^{that} W. E. Storey and H. P. Chandler, if called, would testify to the same effect as Landis.

Isaac Minkle, living on the Auburn-Folsom road two miles from Folsom, is a farmer and is also in charge of an irrigation ditch, his ranch being bi-sected by the county line. He testified that the Zurfluh stage will be convenient for handling laborers to the camp on the North Fork ditch.

D. O. Fulton, who resides at Sacramento and owns a ranch about three miles from Folsom on the Folsom-Auburn road, called as a witness by Zurfluh, said he employed from 100 to 175 men a year, from 30 to 40 men being employed at once. This labor originates in Sacramento, he said, coming to Folsom and thence by private automobile to his ranch, the latter transportation costing him \$1.50 per head. He said he would use an express service for handling supplies from Sacramento which he now obtains from Folsom. He said he preferred to buy them at Sacramento.

Guy Bartholomew, a rancher living in Orangevale Colony, three-quarters of a mile from the route of the Pierce Arrow line and one-quarter to one-half a mile from the proposed Zurfluh line, said he would use the Zurfluh service. C. A. Barger, E. B. Rogers, W.B. Shackleton, J. A. Walker and J.B. Tully testified in support of applicant. Tully, a business man of Fair Oaks, declaring that the service was needed to meet demands for transportation for persons and property to Damsite. Another favorable witness was C.C.Vance, a daily traveler to Sacramento, who said he now used the Gibson line, walking three-quarters of a mile to Folsom to get the stage.

Beverly Gibson, protestant, among other lines out of Sacramento he operates under the name of River Auto Stage, serves between Folsom and Sacramento, all under authority of the Railroad Commission, testified that after an investigation he had concluded that there is no immediate need for the service proposed by Zurfluh. He did not believe the dam would ever be built. Gibson said he had never received any complaint against the service he was giving between Folsom and Sacramento and had never been requested to extend his service to Damsite. He gives service to the latter point from Folsom by taxi, calls for the service averaging about one a day. Between Sacramento and Folsom, he testified, he operates six schedules daily, using one 22 passenger car, one 18 passenger car and having 5 extra cars on other lines available for this service, if necessary. The line is utilized to the extent of from 35 to 40 per cent of the seating space available. It has been operated at a small profit, and it was his opinion that there will be a deficit if he loses 10 per cent of the business. His route is five miles from Orangevale at its nearest point and two miles from Cardwell Colony. He said he could serve these districts with taxis, charging 25 to 50 cents additional fare.

A resolution by the Folsom Chamber of Commerce urging that the Railroad Commission grant to Beverly Gibson authority to extend his Folsom line to Damsite was placed in evidence by protestant Gibson. Inasmuch as Gibson has not applied to the Commission for such authority, the protest of the organization to the granting of the Zurfluh application, which is based on a request that a non-existent application should be granted, cannot be given full consideration in this proceeding.

A. L. Richardson, also a protestant, operates between Sacramento and Placerville, via Folsom. He testified that his depot is one-half block from Gibson's depot. All his scheduled trips go through Orangevale. He uses 20 passenger Pierce Arrow stages, and said about one-half of the seating space is not used. Most of his

passengers come from Placerville, but he serves points along the Highway. He handles express. At Orangevale the distance between his route and that of applicant Zurfluh is one-half mile. He has had no request for additional service at Orangevale. He testified further that he had put on a schedule through Orangevale from Folsom over protestant's proposed route, and no traffic resulted. He said he could operate as conveniently over the proposed Zurfluh route as over his present route, there being about one mile difference in distance. There have been no inquiries, he testified, as to service for handling school children to Sacramento, there being a High School at San Juan, $1\frac{1}{2}$ to 2 miles from Orangevale, which uses its own buses. Protestant said he carries teachers there from Sacramento daily. As to service to Damsite, Richardson said he could readily run a line or a stub line to the Damsite, having plenty of equipment available. He has not applied to the Commission for authority to serve Damsite. Richardson said he has had capacity loads on the Sacramento bus when arriving at Folsom, but not very often. He rents cars from Gibson for overloads, he testified, and has a pick-up car to use when stages are full.

After a careful review of all the evidence in this proceeding, we are of the opinion, and we hereby find as a fact that public convenience and necessity require the operation of the automobile service as proposed by George R. Zurfluh. Particularly is this so with regard to the service through the Orangevale territory. True, the territory is served by an existing line, the Richardson line, but Richardson does not go through the heart of the district as Zurfluh proposes to do. Establishment of the proposed Zurfluh extension from Fair Oaks to Orangevale will obviate the necessity of a large number of people walking a distance of from one-quarter to one-half mile to transportation to the nearest large city. Zurfluh is now transporting passengers between Sacramento and Fair Oaks and express between Sacramento and Orangevale. There should be no such limitation as the transportation of express

packages through a territory such as the Orangevale district is a boon to the busy farmer and housewife often dependent upon the auto stage operator for that delivery service which to the urban resident is a service indeed. For the territory beyond Orangevale to the points known as Damsite, the need for the service proposed by Zurfluh is not so apparent, but still Zurfluh has justified its establishment through competent testimony showing the Damsite is to become the center of construction activities resulting from a hydro-electric project on which several hundred men will be employed. Preliminary work has already been started. The line of protestant Gibson does not touch the Orangevale territory, his protest hinging largely on the apprehension that Zurfluh has in contemplation service to the town of Folsom, one of the Gibson terminals, Sacramento being the other. According to the record in this proceeding, while the proposed Zurfluh line will pass the town of Folsom, the route proposed is about a half mile from the center of the town and the American river runs between it and the town. Furthermore, Zurfluh has declared that he does not propose to serve the town of Folsom. This declaration will be borne in mind in the preparation of the order herein. Gibson operates a taxi service out of Folsom which is used by persons desiring to travel to Damsite. Zurfluh operates a taxi service out of Fair Oaks, transporting to Orangevale and beyond any persons arriving at his Fair Oaks terminal, on his stage, desiring to travel further. The taxi rates are relatively high. Issuance of the certificate prayed for herein will provide a cheaper service to which the public is entitled.

O R D E R

Public hearings having been held in the above entitled proceedings, said matter having been duly submitted, the Commission being fully advised and basing its order on the findings of fact which appear in the opinion preceding this order:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY
DECLARES that public convenience and necessity require the

operation by George R. Zurfluh of an automobile service for the transportation of passengers, baggage and express between Sacramento and Damsite and the intermediate points of K Street Bridge, Del Paso, Carmichael, Fair Oaks and Orangevale, 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 George R. Zurfluh, subject to the following conditions:

1- That the certificate granted herein shall not be considered as an additional operating right to those under which applicant Zurfluh is now operating a passenger service between Sacramento and Fair Oaks, and an express service between Sacramento and Orangevale but a certificate granted in lieu of certificates heretofore issued to said Zurfluh.

2- That the certificate herein granted shall not be construed as in any way authorizing applicant Zurfluh to serve the town of Folsom.

3- Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.

4- Applicant shall cancel rates and time schedules now on file in his name with the Railroad Commission and shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules, such tariffs of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from the date hereof.

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 him 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 5th day of January, 1927.

W. A. [Signature]
C. [Signature]
[Signature]
[Signature]
[Signature]

COMMISSIONERS.