

**ORIGINAL**

Decision No. 17904

**BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of )  
 CALIFORNIA PARLOR CAR TOURS COMPANY, )  
 a corporation, for a certificate of ) Application  
 public convenience and necessity to ) No. 12281  
 operate two day tour between Los Angeles )  
 and San Francisco. )

Devlin & Brookman, by Douglas Brookman, for Applicant,  
 Warren E. Libby, for Pickwick Stages System,  
 Packard Stage Line, and  
 Motor Transit Company, Protestants,  
 E.W. Hobbs for Southern Pacific Company, Protestant,  
 Earl A. Bagby for California Transit Company, Protestant,  
 Richard tum Suden for Pacific Highway Association,  
 E. M. Cole for Los Angeles Steamship Company, Protestant,  
 W. Ansbach for Inspiration Point Restaurant, in support  
 of application,

BY THE COMMISSION -

O P I N I O N

California Parlor Car Tours Company, a corporation, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the establishment of a two day tour over the public highway between San Francisco and Los Angeles for the transportation of passengers and baggage.

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

Applicant is now operating a three day tour between San Francisco and Los Angeles by virtue of the authority contained in this Commission's Decision No. 14035 on Application No. 9936, decided September 10, 1924, which was granted to J. A. Boyd and R.C. Smith, co-partners, operating under the fictitious name of Parlor Car Tours. By its order as contained in Decision No. 14436 on Application No. 10361, decided January 6, 1925, the co-partnership of Boyd and Smith were authorized to transfer the operative right to the applicant herein.

Applicants proposes to establish a two day tour between Los Angeles and San Francisco for which a rate of \$30.50 will be assessed, said rate including transportation, overnight hotel accommodations and meals en route.

It is proposed to inaugurate the service by providing one round trip per week, leaving Los Angeles on Wednesday, and San Francisco on Saturday. The trip leaving Los Angeles provides for a departure at 8:00 A.M., lunch at Santa Barbara, dinner and overnight stop at Paso Robles, leaving Paso Robles at 7:00 A.M., lunch at Del Monte Hotel, thence to Big Trees near Santa Cruz, and arriving at San Francisco at 7:00 P.M. The trip leaving San Francisco provides for a departure at 7:30 A.M. to the Big Trees near Santa Cruz, lunch at the Del Monte Hotel, dinner and overnight stop at Paso Robles, leaving Paso Robles at 7:30 A.M., lunch at Santa Barbara and arrival at Los Angeles at 7:00 P.M. The equipment proposed to be used is Fagcol Safety coaches of 21 passenger capacity with individual chairs and enclosed baggage compartments.

Applicant relies as justification for the granting of the application upon the following alleged facts: that since the inauguration of the three day tour heretofore authorized by the Commission many requests have been received for the establishment of a two day all paid tour; that many tourists arriving in California on round-the-world cruises, and otherwise, desire the service now afforded by applicant on its three day tour but by reason of limited time are not able to take the three day trip; that tourist agencies and the public generally have requested the establishment of the two day tour; and that the proposed service will be personally conducted and will include operation over the 17 Mile Drive at Monterey and a tour in and about Santa Barbara, together with stops at points of interest along the route;

Robert J. Marquard, district passenger agent of applicant, testified that he had representatives who sold tickets for applicant's tours in the Stewart, St. Francis, Plaza, Bellevue and Whitecomb Hotels in San Francisco and such representatives had

reported requests for two day trips to Los Angeles, inquiries averaging two per week.

Elmer M. Willson, employed by the Lanner Motor Tours, testified that he sold tickets for the three day tour now operated by applicant; that he had made 97 round trips on the three day tour; that he had heard inquiries for the trip to be accomplished in less than three days; that more passengers originating on round-the-world steamers would use the proposed service than the present three day tour for the reason that the extra time could be used by the tourist in local sightseeing in Los Angeles or San Francisco and that business was lost on the three day schedule by reason of the limited time of tourists due to close sailing schedules of their steamers. The witness estimated that three-quarters of the patrons of the three day trip would have used the proposed two day trip if it had been available. At present many tourist patrons who would use the two day trip make up private parties and engage limousine service at a considerable expense.

Dupont Coleman, Assistant Manager of the Fairmont and Whitcomb Hotels, San Francisco, testified that the hotels with which he was connected handled a considerable amount of steamship patronage from round-the-world tours, that he knew of frequent inquiry for two day service from such tourists and other guests of his hotels. Witness was of the opinion that the proposed service would prove of advantage to tourists and that many persons now using the three day service would prefer and use the contemplated service.

C. L. Christianson, Assistant Pacific Coast Manager of the Panama-Pacific Steamship Lines, testified as to the tourist travel destined to San Francisco from intercostal points. His company had a joint schedule with the applicant as regards the three day tour during the summer season of 1925. Witness had personally met a large majority of the passengers arriving by his company's steamers and had heard inquiries for a shorter trip than the three day trip which was available.

Four witnesses, employed by a sightseeing company in San Francisco, testified regarding inquiries received from the public for motor transportation to Los Angeles. One of these witnesses had averaged 3 to 4 inquiries per week and two had averaged from 4 to 5 inquiries per day. All these witnesses stated that frequently the three day trip operated by applicant consumed more time than was available for prospective patrons and that many who had patronized the three day trip would have taken the two day trip if it had been available. It would appear from the testimony of these witnesses, who come in close daily contact with the tourists, that at least half of the patrons secured for the three day trip would prefer the shorter trip and that many who now object to the three day tour, by reason of their limited time, would patronize the proposed two day tour.

R. C. Smith, President of applicant corporation, testified as to investigation made under his direction and promotion work with eastern tourist agencies, steamship and railroad companies; that in connection with such investigation it had developed that there was a demand for a two day tour on the basis that the three day tour consumed more time than could be allowed in the preparation of the average tourist's itinerary; that requests for the two day tour have been made by representative tourist agencies throughout the country; and that the company now owns four parlor cars, fully paid for, and has the financial ability to secure other equipment if the necessity so demands.

Witness further testified regarding the losses sustained in the development of the present three day tour, same having necessitated considerable pioneering, solicitation and advertisement in its establishment; and that the volume of business was now increasing and that the business was now profitable.

The granting of the application is protested by California Transit Company, Los Angeles Steamship Company, Pickwick Stages System, Motor Transit Company and Southern Pacific Company.

Warren E. Libby, Secretary of Pickwick Stages System, testified that his company was operating seven round trip schedules daily between San Francisco and Los Angeles, stop-over privileges being available at San Jose, Salinas, Paso Robles, San Luis Obispo and Santa Barbara, enabling passengers to make the journey in a continuous trip or to extend same into a two, three or any number of days up to ninety. This witness described the equipment used, the majority of which is fitted with individual chair seats, and outlined the ability of his company to care for all business offering. Although his company does not itself serve all points proposed by applicant, the service is available by the use of connecting lines with which his company has through ticketing arrangements.

T. M. Cole, Assistant General Passenger Agent of protestant Los Angeles Steamship Company, testified that his company provided four round trips weekly between Los Angeles and San Francisco, the service being fairly comparable with an all-paid tour in that berth and meals were included in the cost of tickets.

Protestant, Southern Pacific Company, introduced as exhibits its schedules and rates, there being nine round trips available by such route between San Francisco and Los Angeles.

After full consideration of the record herein, we are of the opinion that public convenience and necessity requires the service as proposed by applicant, including as it does an all-paid tour within a period of two days. The record shows a substantial demand for the service by tourist agencies and that the present three-day tour requires more time than many tourists and vacationists have available for trips through an attractive portion of California, especially when such tourists are on long trips, either transcontinental or round-the-world. Existing transportation companies, protestants herein, have no comparable substitute service and a sufficient affirmative showing has been made by applicant to justify the granting of the application.

O R D E R

A public hearing having been held in the above entitled proceeding, the matter having been duly submitted, the Commission being now fully advised and basing its order on the conclusions as appearing in the opinion which precedes this order,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by California Parlor Car Tours Company, a corporation, of an automobile stage service as a common carrier of passengers and baggage between San Francisco and Los Angeles, via the Coast Route, such operations being for through passengers only and on the basis of an all-paid tour which shall include meals and hotel accommodations en route, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same hereby is granted to California Parlor Car Tours Company, a corporation, for the operation of an automobile stage line as a common carrier of passengers and baggage over the route as described in the foregoing declaration, and subject to the following conditions:

- 1- Service under the certificate herein granted shall be confined solely to the transportation of passengers and their baggage between the termini of San Francisco and Los Angeles, no service whatsoever to be rendered to or from any intermediate point or stopovers of any kind permitted.
- 2- Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
- 3- Applicant 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 thirty (30) days from the 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 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 13<sup>th</sup> day of January, 1927.

Frank J. ...  
H. B. ...  
Clarence ...  
Leon ...  
Thos. ...  
COMMISSIONERS.