

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of M. F. ROHN, doing business under the fictitious name and style of KLAMATH-WEED STAGES, for a certificate of public convenience and necessity to operate automobile stage service as a common carrier of passengers and baggage between the California-Oregon State Line and Weed, California.

Application No. 13646

Frank B. Austin, for Applicant.

V. J. Elzkorn, and J. J. Miller, for Southern Pacific Co., Protestant.

BY THE COMMISSION:

O P I N I O N

M. F. ROHN, doing business under the name of Klamath-Weed Stages, in accordance with his amended application, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers and baggage between Weed, California, and a point on the California Oregon State Line between the towns of Midland, Oregon, and Dorris, California, serving Tennant, Bray, Mt. Hebron, Macdoel, Dorris and all intermediate points.

A public hearing on this application was conducted by Examiner Satterwhite at Weed, the matter was submitted and is now ready for decision.

Applicant proposes to charge rates and to operate on a time schedule, in accordance with Exhibits "A" and "B" attached to said application, and to use the equipment described in Exhibit "C" attached thereto.

The Southern Pacific Company protested the granting of said application.

A considerable number of witnesses appeared at the hearing in support of the proposed service. The evidence shows that the proposed route will traverse a territory now devoted almost exclusively to lumbering and allied industries and in which are situated many lumber mills and lumbering and logging camps. Weed, the southern terminal, which is the largest community proposed to be served, has a population of about 3000 people. The Weed Lumber Company is the chief industry in this community and employs several hundred men. Dorris, the northern terminal, the next largest town to be served, has a population of about 1000 people. The Kesterson Lumber Company operates in this community a saw-mill, employing about 200 men. There is also located at Dorris the Associated Lumber & Box Company, which employs at least 100 men. At Bray there is another box factory. At Pineland, another intermediate point, is operated a logging camp. There is a large logging camp at Tennant, which is owned and operated by the Weed Lumber Company, this being the main location of their logging industry. Jerome also has a moderate sized saw-mill. The only agricultural activities and development are located in the vicinity of Macdoel, where there is an extensive irrigation project embracing the development of 30,000 acres. There is also another saw-mill about three miles from Macdoel which employs about 200 laborers. The

record shows that laborers and lumber jacks travel back and forth to these various lumber camps in the course of their employment and it appears that the labor turn-over is of considerable volume throughout the entire year. Representatives from several of these lumber and milling companies appeared at the hearing and endorsed the proposed additional stage service on the basis that the present train service through this territory is inadequate and not satisfactory.

The President of the Chamber of Commerce of Dorris appeared at the hearing and testified that the executive committee of this organization had recently held a meeting and after a full discussion of the proposed additional stage service passed a resolution endorsing the service on the basis that the existing rail service was unsatisfactory. The owners and operators of two hotels at Weed testified to the effect that their hotels cater primarily to laboring men and lumber jacks who work, not only in the mills and logging camps at Weed and Tennant, but also are employed throughout the territory proposed to be served. It appears that there are constant and daily inquiries at these hotels by laborers and lumber jacks for stage service along the route proposed to be served. The owner of the Macdoel Hotel at Macdoel also testified that there are daily inquiries for stage service to Weed and also to Dorris and to other intermediate points and these inquiries are mostly from laboring men. The Agent and representative of the San Francisco Chronicle at Weed, who has charge of the routing and circulation department of this paper, testified that he travels through this territory and has frequently had discussions with business men and residents in the various communities and the great majority of them desire

an additional stage service through this territory. This witness also testified that at Weed, which is his head-quarters, he has had frequent inquiries for stage service to Dorris and intermediate points.

The Dunsmuir-Weed Stage Line and the Pickwick Stages, which operate along the Pacific Highway, will make connections with the proposed stage service of applicant for all passengers desiring to go from Weed to the State Line over the route proposed to be served by applicant.

Several other witnesses who operate garages, service stations and pool rooms and other business places not only at Weed, but along the route, testified that there are from time to time complaints made to them against the unsatisfactory train service, as well as inquiries for a stage service through the territory to be served. The complaints against the existing train service are based upon the fact that there is but one north-bound and one south-bound train daily between Weed and Dorris and intermediate points. This train leaves Weed daily at 12:15 p.m. north-bound and arrives at Dorris at 2:55 p.m., leaving Dorris south-bound at 4:57 p.m., arriving at Weed at 7:55 p.m. It appears there is another train which leaves Dorris south-bound at 4:32 a.m., but does not serve any of the intermediate territory and connects at Black Butte with another train for Weed and there is a north-bound train which serves intermediate points, arriving at Dorris at 9:47 p.m.

Yreka is the county seat of Siskiyou County, in which all of the towns proposed to be served are located and the record shows that anyone who desires to travel from Dorris and other points on applicant's route to Yreka consumes three or four days making the round trip on account of the unsatis-

factory time schedules of the train service. It was shown that the town of Tennant is about midway between Weed and Klamath Falls and for this reason Weed is the purchasing center for the territory from Tennant south and Klamath Falls is the buying point for the territory from Tennant north. It was also shown that the proposed stage service would permit business men and residents to travel in either direction with more expedition.

Applicant is now operating an interstate stage service between Weed and various points in Oregon and he testified that in driving over this proposed route he has constant and daily inquiries for stage service along the entire route, not only from laborers, but from travelling salesmen and others living in the territory.

The Southern Pacific Company offered in evidence its rate and time schedules, together with an exhibit showing all of its train service throughout this territory. Mr. J. J. Miller, the District Passenger Agent for this territory, testified in detail with respect to existing train service and time schedules. He testified also that the patronage of the passenger trains serving the local territory between Weed and Dorris daily is rather small and attributed this to the fact that the intermediate territory is very limited in population and at certain points very sparsely settled and he gave as his opinion that the existing train service was ample to take care of all travel in the territory proposed to be served. His testimony shows that trains 231 and 232, which operated between Weed and Junction, being a mixed train and carrying a passenger coach, had to be eliminated by reason of the fact that it had little or no patronage. The passen-

gor coach was eliminated from these two trains on the first of January, 1927, leaving only the caboose available for passenger travel and during the last five months of January, February, March, April and May not a single passenger has ridden on this mixed train between Junction and Weed.

After a careful consideration of all the evidence in this proceeding, we are of the opinion and hereby find as a fact that public convenience and necessity require the proposed stage service of applicant and that the application should be granted.

O R D E R

A public hearing having been held in the above entitled application, the matter having been duly submitted, the Commission being now fully advised, and basing its order on the findings of fact set forth in the preceding opinion:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the operation by M. F. Rohn, doing business under the fictitious name of Klamath-Weed Stages, of an automobile stage line as a common carrier of passengers and baggage between Weed, California, and a point on the California Oregon State Line between the towns of Midland, Oregon, and Dorris, California, serving Tennant, Bray, Mt. Hebron, Macdoel, Dorris and all intermediate points.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be hereby granted to said M. F. Rohn, doing business under the fictitious name of Klamath-Weed Stages, for the operation of the service herein described, subject to the following conditions:

- 1- Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
- 2- 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 sixty (60) days from the date hereof.
- 3- 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.
- 4- 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.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 30th day of

July, 1927.

Edmund West

Chas. J. ...

John S. ...
Commissioners.