

Decision No. 18694

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the joint Application of PICKWICK STAGES SYSTEM and MOTOR TRANSIT COMPANY for authority permitting the former to discontinue certain of its local automobile stage line operations between Riverside and Beaumont, California, via Moreno, and of the latter for authority to operate said local stage service and for a certificate of public convenience and necessity authorizing the said changes in operations.

ORIGINAL

Application No. 13750.

H. W. Kidd, for Motor Transit Company,
Applicant.
Warren E. Libby, for Pickwick Stages System,
Applicant.
T.A. Woods, for American Railway Express,
Protestant.

BY THE COMMISSION:

O P I N I O N

This is the joint application of Pickwick Stages System and Motor Transit Company for a certificate of public convenience and necessity authorizing changes in the service now maintained by these carriers from Riverside to points east thereof, over the route from Riverside via Moreno and Jack Rabbit Trail to Beaumont.

A public hearing herein was conducted by Examiner Williams at Los Angeles.

Applicant Pickwick Stages, as successor to United Stages, Inc., conducts an operation from Los Angeles to Imperial Valley points, traversing the route between Riverside and Beaumont via Box Springs grade, Moreno, and Jack Rabbit Trail, and in the

conduct of this operation has given incidental local service. Applicant Motor Transit Company traverses the same route to Beaumont and Banning, at the latter point proceeding south and serving the mountain communities of Keen Kamp, Idyllwild, and other points in the San Jacinto mountains, but does no local or intermediate business along the route, by either of said services, between Riverside and Banning.

Motor Transit Company also conducts an operation between Riverside and various points in the Perris Valley via Moreno, including Gilman's Hot Springs, San Jacinto, Soboba Hot Springs and Hemet, which operation was formerly conducted by R. B. Cregar and the G & W Stages and which has been duly transferred by authority of this Commission. This latter operation served some local points between Riverside and Hemet, but was restricted from serving other points also served by applicant Pickwick Stages System, between Riverside and Moreno. It is proposed by both applicants that the operation be so readjusted by a new certificate that Motor Transit Company may enjoy all local rights on both its lines operating via Moreno, and that Pickwick Stages may retain only its through operations. Neither service proposed is competitive with any carrier as to intermediates between Beaumont and Riverside, over the routes traversed, and each has express-carrying privileges.

Applicant Motor Transit Company proposes a schedule of rates for intermediate points over this route, which schedule is based, according to the testimony of F. D. Howell, its vice-president and general manager, on the rate base used in all the structure of fares for Motor Transit Company over its entire system, and the fares proposed are not an increase over the fares now provided for Pickwick Stages System. Applicant Motor Transit

Company also provides express rates with a minimum charge of 15 cents and based upon a maximum weight of 75 pounds, which is the weight authorized for its service over its own and the Cregar and G & W Stages. It was stipulated by applicant Motor Transit Company, however, that whatever certificate is granted herein as to express, shall be subject to the decision of the Commission on Application No. 11502, which is applicant's blanket request for a uniform weight limit and rate structure for express over its entire system. For this reason the express rates provided herein will be authorized only until such time as the decision above mentioned is promulgated by this Commission.

While the protest of the American Railway Express was entered, no testimony was presented by this protestant, in view of the fact that the express status of the carriers is not to be disturbed by any certificate that may be granted herein.

The record presented in this matter justifies the granting of a certificate as prayed for by both applicants, because it is apparent from the showing that the traffic is insufficient to ^{support} two operations, and that the public will be better served by one well-nourished local service and one through service than by several partially restricted services.

O R D E R

Pickwick Stages System and Motor Transit Company having made joint application to the Railroad Commission for authority permitting the former to discontinue certain of its local automobile stage line operations between Riverside and

Beaumont via Moreno, and permitting the latter to operate said local stage service, and for a certificate of public convenience and necessity authorizing said changes in operations, a public hearing having been held, the matter having been duly submitted and now being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the establishment of local service by applicant Motor Transit Company between Riverside and Banning, inclusive, and all intermediate points, over and along the route via Box Springs, Moreno and Jack Rabbit Trail, and the removal of all restrictions heretofore imposed against said termini and intermediates; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be and the same hereby is granted to applicant Motor Transit Company, subject to the conditions attached to this order.

IT IS HEREBY FURTHER ORDERED that all restrictions heretofore imposed against said applicant's service between said termini and intermediates be and the same hereby are revoked and annulled.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the abandonment by applicant Pickwick Stages System of all local service between Riverside and Beaumont and Banning via Box Springs, Moreno and Jack Rabbit Trail, and the operation of through service only by said applicant between Los Angeles and Imperial Valley points over said route, and

IT IS HEREBY ORDERED that applicant Pickwick Stages System be and it is hereby authorized to cancel all its existing local rates between Riverside and Beaumont and Banning via Box Springs, Moreno and Jack Rabbit Trail, and to discontinue all local service between said termini and intermediates, and to provide through service only between Los Angeles and Imperial Valley points over said route; provided, however, that said Pickwick Stages System shall have authority to receive passengers at Banning or points east or south thereof, destined to points intermediate to either place and Riverside, and to receive or discharge passengers received at points west of Riverside destined to points east or south of Banning, and to receive passengers from any intermediate point destined to points east of Banning or west of Riverside; and

IT IS HEREBY FURTHER ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted to said applicant Pickwick Stages System, subject to the following conditions:

- I. Applicants Pickwick Stages System and Motor Transit Company shall file their written acceptances of the certificate herein granted within a period of not to exceed twenty (20) days from date hereof.
- II. Applicant Motor Transit Company shall file, in duplicate, within a period of not to exceed thirty (30) days from date hereof, tariff of rates and time schedules, such tariff 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 date hereof.
- III. Applicant Pickwick Stages System shall file, within twenty (20) days from date hereof, cancellation of all its local rates between Riverside and Banning and Beaumont, inclusive, and shall file, in lieu thereof, its through rates between Los Angeles and Imperial Valley points.

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

V. No vehicle may be operated by applicants herein under the authority hereby granted unless such vehicle is owned by applicants or is leased by them 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 and after the date hereof.

Dated at San Francisco, California, this five
day of August 1927.

Leon Whittell
Thos. E. Ratten
M. A. Carr
COMMISSIONERS.