

public hearing was held on the two above entitled applications at Truckee on November 10th, 1927, at which time it was stipulated that they might be consolidated for hearing and determination.

What Balish really wants is a certificate authorizing him to do a local intrastate business as part of an interstate operation. Both applicants want certificates only for summer business. There is no motor bus transportation in the summer season between Truckee and Tahoe City and Tahoe Tavern.

Southern Pacific Motor Transport Company proposes to establish identical fares and similar baggage and express accommodations to those now afforded by the Southern Pacific Company during the summer season, on certain local trains operated between Truckee and Tahoe City and Tahoe Tavern, in addition to other trains carrying through sleepers.

The evidence shows that the Southern Pacific Company desires and proposes to withdraw its local train service if the Southern Pacific Motor Transport Company should be certificated, the proposed schedules of the latter company to be the same as the schedules of the local trains proposed to be withdrawn. During the course of the hearings, permission was granted to the Southern Pacific Company to file formal request for leave to discontinue the local trains in question, the evidence submitted at the hearings to be considered, insofar as pertinent, as the record in that application. Since the submission of the two applications, the Southern Pacific Company has filed the application (No. 14215) referred to and an order on the same is being made concurrently with the order herein.

While the Southern Pacific Motor Transport Company placed its application almost entirely on the ground that the motor bus service was cheaper to operate than the local train service proposed to be discontinued, there was evidence in the record showing that the public convenience and necessity would be subserved by the certification of a motor bus service between Truckee and Tahoe,

As between the conflicting applicants for the certificate, Southern Pacific Motor Transport Company appears to be in a position to give the more stable and permanent service and is the one which should be certificated. The evidence does not justify the certification of both applicants, nor does it justify the certification of Balish for the route which is not in conflict, there being an adequate existing service over the same. The application of Southern Pacific Company to discontinue local train service between Truckee and Tahoe, during the summer season, should be granted under separate order.

I recommend the following form of Order:

O R D E R

Public hearings having been held on the above entitled applications, the matters having been duly submitted, the Commission being now fully advised and basing its Order on the findings appearing in the Opinion preceding this Order,

The Railroad Commission of the State of California hereby declares that public convenience and necessity do not require the operation by Charles Balish of an automobile stage service for the transportation of passengers, baggage and express, between Truckee, California, and Tahoe City to Tallac, California, and intermediate points; therefore,

IT IS HEREBY ORDERED that Application No. 14105 be and it is hereby denied.

The Railroad Commission of the State of California hereby further declares that public convenience and necessity require the operation, by Southern Pacific Motor Transport Company, of an automobile stage service for the transportation of passengers, baggage and express, between the passenger stations of Southern Pacific Company at Truckee, in Nevada County, California, and at Tahoe and Tahoe City, in Placer County, California, and intermediate points.

points which are Southern Pacific passenger stations or railroad stopping points as follows; provided, that the express herein authorized to be transported shall be carried in accordance with the rates, rules and regulations of the American Railway Express Company now on file with this Commission in the name of said Company:

Truckee	Squaw Creek
Headland	Old Road
Denvale	Deer Park
McPhetres	Rampart
Big Chief	Mess Hills
Bull's Head	Tahoe

IT IS HEREBY FURTHER ORDERED that a certificate of public convenience and necessity for such a service be and is hereby granted to Southern Pacific Motor Transport Company, subject to the following conditions:

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

(2) Applicant shall file, in duplicate, within a period of not to exceed thirty (30) days from the date hereof, tariff of rates, fares and time schedules, to be similar to those submitted by applicant at the hearing of this application, or rates, fares and time schedules satisfactory to the Railroad Commission; and shall commence operation of said motor vehicle service on or before May 1, 1928.

(3) The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless 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 applicant or is leased by applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

(5) The motor vehicle operation herein authorized shall be seasonal in character and rail service may be substituted for same when weather conditions do not permit the operation of motor vehicle service.

For all other purposes the effective date of this Order shall be twenty (20) days from and after the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 23^d day of December, 1927.

Ernest A. ...
Chas. ...
Leon ...
Thos. ...
M. J. ...
 Commissioners.