

ORIGINAL

Decision No. 21134.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application ( )  
of A. L. BRIDGEMAN for certificate ( )  
of public convenience and necessity ( )  
to operate automobile stage service ( ) Application No. 15395.  
from Arizona State line near Yuma, ( )  
and from El Centro to Nevada State ( )  
line via Needles. ( )

Sloane and Sloane, by H. G. Sloane, for Applicant.

Libby & Sherwin, by M. Tellefson, for Pickwick  
Stages System, Protestant.

J. W. Donohue, for Southern Pacific Company,  
Protestant.

Robert Hays, for El Centro Chamber of Commerce  
and San Diego Chamber of Commerce,  
in support of Application.

BY THE COMMISSION:

O P I N I O N

Applicant requests permission to establish service for the transportation of passengers, freight and express by automobile stage from the California line near Yuma and from El Centro, through Ogilby, via Blythe and Needles to the California line near Searchlight, Nevada, with no local traffic between El Centro and Yuma and Ogilby.

Proposed rates for the service, as well as time schedules and equipment to be used are duly set forth in exhibits attached to the application.

A public hearing was held by Examiner Gannon at El Centro at which time the matter was submitted and is now ready for decision.

As a basis for the necessity of the proposed service it is urged by applicant that there now exists no means of direct transportation between El Centro and Yuma on the one hand, and Las Vegas, Nevada, on the other; that the development of Las Vegas and vicinity on account of impending activities at Boulder Dam demands regular and adequate service for the transportation of passengers and property, and that applicant has had frequent inquiries for such service.

Applicant, testifying in his own behalf, stated he had had some experience in the operation of stages and that he was at present running a stage line between Las Vegas and Searchlight, points within the State of Nevada and proposed to be served in the present application. It is proposed that the stage from El Centro meet the Yuma stage at Ogilby and from this point to transport all passengers in one vehicle, the route paralleling, in the main, the Colorado River and serving Blythe, Rice, Vidal, Needles, and thence on into Nevada serving Searchlight and Las Vegas. There would be no local business between El Centro and Ogilby nor between Yuma and Ogilby. The distance from El Centro to Las Vegas via the proposed route is approximately 50 miles less than by existing stage route, and applicant stated the trip could be made in twelve hours over fairly good "desert" roads.

As to the demand for the service, applicant produced no witnesses other than himself. He offered a petition signed by sixteen residents along the proposed route favoring the establishment of the service, and stated that he had been frequently importuned to initiate this service by persons residing along the route, some of whom were business men. There was no evidence as to the number of passengers or the

volume of freight which might be expected. Applicant seemed to have no adequate conception of operating costs, his testimony being that it would cost him  $2\frac{1}{2}$  cents per mile to run his stages, which item, he explained, included only repairs and replacements. He proposed to pay his driver two cents per mile of operation.

The application was supported by the El Centro Chamber of Commerce through its secretary who appeared in person and stated that he was also authorized to represent the San Diego Chamber of Commerce which had endorsed the application. It was the opinion of this witness that applicant could build up a considerable business destined to Las Vegas and which might come as a result of the activities attending the construction of Boulder Dam. In his judgment the travelling public prefers the more direct route between El Centro and Blythe, i. e. via Ogilby, rather than the other routes via Niland and Indio.

The application was protested by Southern Pacific Company and Pickwick Stages System. At the hearing Southern Pacific Company withdrew its protest upon applicant's assurance that he intended no tie-up of through rates or service with any stage or truck line operating between San Diego and Imperial Valley points.

Pickwick Stages System now operates from El Centro to Blythe via Indio and proposes to extend this service on to Las Vegas. This route, as far as Blythe, is approximately fifty miles longer than that proposed in the application. According to the testimony of this carrier's field engineer,

the route via Indio is only 30 miles longer than applicant's and over more traversible roads, which would enable Pickwick to operate between El Centro and Blythe in the same time as Bridgham.

This protestant called a representative of the Automobile Club of Southern California who testified that he invariably recommended to tourists the route via Mecca, which is the Indio route, and which is somewhat the longer route but affords the better highway throughout. They occasionally route tourists via Niland but have had no inquiries regarding the Ogilby route.

We have given due consideration to the evidence herein and conclude that the showing made by applicant failed to establish public convenience and necessity for the service which he proposes. In fact, the record discloses little more than applicant's desire to inaugurate the service. His own testimony was that he had discussed the application with residents of Las Vegas who seemed "much enthused", but there was not a single witness present at the hearing to testify that he would use the service and to what extent. The Commission cannot grant certificates of public convenience and necessity on the mere hope or assumption that a service, once established, may develop business. True, we cannot expect complete proof in advance of granting a certificate, but on the other hand there should be a bona fide and affirmative showing, in some degree, of the necessity for the proposed service.

In the light of these considerations we are of the opinion that the application should be dismissed without prejudice, and the order will so direct.

ORDER

A public hearing having been held in the above entitled proceeding, the matter having been submitted, and being ready for decision,

IT IS HEREBY ORDERED that the application be and the same is hereby dismissed without prejudice.

Dated at San Francisco, California, this 21st day of May, 1929.

David L. Smith

Ed. J. ...

Edward ...

Leon ...

M. H. ...  
Commissioners.