

Decision No. 23072

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 PACIFIC GREYHOUND LINES, Inc., for )  
 authority to discontinue, during the )  
 winter season, its operation in the )  
 transportation of passengers and ex- )  
 press between Yosemite Junction and ) Application No. 16910  
 Groveland and its operations in the )  
 transportation of freight between )  
 Chinese Station and Groveland. )

BY THE COMMISSION -

OPINION and ORDER

This is an application by Pacific Greyhound Lines, Inc., for authority to discontinue, during the winter season, its operation in the transportation of passengers and express between Yosemite Junction and Groveland and its operations in the transportation of freight between Chinese Station and Groveland.

By Decision No. 21359, rendered December 5, 1929, on Application No. 15781, this Commission granted to California Transit Co., predecessor in interest to applicant, operative rights for the transportation of passengers and express between Yosemite Junction and Mather via Groveland and Carl Inn, and freight between Chinese Station and Mather, via Groveland and Carl Inn, said decision providing that the passenger and express service between Groveland and Carl Inn, and intermediate points, be seasonal, to be rendered during the open season of each year approximately from June 1st to September 15th, which provision as to seasonal operation was also made applicable to the operation between Carl Inn and Mather, the latter operation being an extension of the operation between Groveland and Carl Inn. Said decision also provided that the transportation of freight between Groveland and Mather and intermediate points should be seasonal, to be rendered during the

open season of each year approximately from June 1st to September 15th of each year. Under such provisions the operation for the transportation of passengers and express between Yosemite Junction and Croveland and for the transportation of freight between Chinese Station and Croveland remained all year operations.

Decision No.21259 also provided for the continuation in effect of a lease of a portion of said operating rights between Yosemite Junction and Croveland for the transportation of passengers and express and between Chinese Station and Croveland for the transportation of freight, to Ernest Caplinger, said lease having been approved by Decision No.12339. By Decision No.22469 on Application No.16490, dated May 23, 1930, Pacific Greyhound Lines, Inc., became the owner of said operative rights, subject to said lease to said Caplinger.

Since the authority to lease said operative right to Caplinger was given, said Caplinger has operated the same during the winter season, to-wit: between approximately September 15th and June 1st, conducting such operation in connection with the transportation of mail for which he held a contract. Said mail contract expired on June 30, 1930, and Caplinger has declared his inability to continue to conduct said operations under said lease and, availing himself of the provisions of said lease, has given to applicant the required five (5) days' written notice of his desire to terminate the same and said lease has thereby become terminated, thus obligating applicant to conduct said operation during the winter months.

Requesting authority to perform a seasonal instead of a year round service, applicant declares that traffic demands do not justify a continuance of the all year operation and in support of this declaration shows by an exhibit, marked "A", which is attached to the application herein and made a part thereof, the gross revenues, as well as the revenues per mile derived from said operations as conducted under said lease by said Caplinger

during the period September 15, 1929, to June 1, 1930. It appears from said exhibit that the average gross revenue received by reason of such operation in the transportation of passengers and express during said period was \$.011 per mile. In the transportation of freight there were no common carrier revenues for the period September 15, 1929, - June 1, 1930, such freight as was transported being transported by said Caplinger under private contracts.

A further traffic check (see letter dated November 3, 1930,) made by direction of the Commission subsequent to the filing of the instant application and covering the period from September 16, 1930, to October 17, 1930, shows that in that period of time 19 passengers were transported in the territory affected by the application herein, yielding a revenue of \$44.65 or \$.072 per mile. The additional check further shows that from September 16th to September 30, 1930, Schedule No. 569 made six (6) trips from Groveland to Yosemite Junction and handled no passengers. Schedule No. 570, in the opposite direction, handled, in six trips, sixteen passengers, with one to Moccasin Creek. October 1 to October 17, 1930, Schedule No. 570 handled no passengers and Schedule No. 569 handled two.

It is applicant's contention that should it be compelled to conduct said operations during the coming winter months, it will be compelled to suffer a direct out-of-pocket operating loss far out of proportion of the value of the service rendered to the few patrons in the past who have availed themselves of the service.

It appears from the record that this applicant has justified its request for authority to discontinue operations during the winter months. We are of the opinion that the application should be granted and we are of the further opinion that it is a matter in which a public hearing is not necessary. Therefore,

IT IS HEREBY ORDERED that Pacific Greyhound Lines, Inc., be and it is hereby authorized to suspend its operations for the transportation of passengers and express between Yosemite Junction and Groveland and for the transportation of freight between Chinese

Station and Groveland, during the period of approximately September 15th of each year to approximately June 1st of each subsequent year, continuing to operate the said service between approximately June 1st of each year and approximately September 15th of each year as a seasonal operation, provided that the service hereby authorized to be discontinued shall be restored if and when traffic demands warrant said restoration.

IT IS HEREBY FURTHER ORDERED that Pacific Greyhound Lines, Inc., shall make such tariff and time schedule filings as are necessary to cover said change in service and shall post in its depots and stages in the territory affected notice that said service is to be discontinued for the period fixed by the order herein, said notice to be posted at least five (5) days before said discontinuance.

Dated at San Francisco, California, this 13<sup>th</sup> day of November, 1930.

C. A. Seaver

James H. [unclear]

David [unclear]

M. J. [unclear]  
COMMISSIONERS.