

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application
of CHARLES B. SMITH for certificate
of public convenience and necessity
to operate passenger and freight
automobile service between City of
Porterville and Camp Nelson.

Application No. 7390.

Guy Knapp for Applicant.
E. L. Lindsay for O. L. McKernan,
Protestant.
C. E. Wykes for Southern Pacific Co.,
not protesting.

BY THE COMMISSION.

OPINION

A public hearing was held by Examiner Westover at Porterville upon the above application to operate passenger and freight service between Porterville and Camp Nelson, a resort on the Tule River, easterly from Porterville.

The only public service at present is that of the Southern Pacific Company and that of O. L. McKernan who operates between Porterville and Springville, a distance of about 16 miles.

Mr. Smith, the applicant, owns Camp Nelson, maintaining there a hotel and cottages, with a capacity of 60 to 75, and serving meals at times to, about double that number of guests and campers. Heretofore guests have been brought from Springville by the resort's automobiles to a packing station about 8 miles beyond Springville, from which point they have been taken on pack horses the remaining distance of about 8 miles to Camp Nelson. The road between Porterville and Springville is being

extended to Camp Nelson and it is expected will be open for travel in a few weeks. Mr. Smith wishes to operate a truck service between Camp Nelson and Porterville to accommodate the guests of the Camp upon a daily schedule which will provide connections at Porterville with trains, and allow two and a half hours in Porterville and return to the Camp the same day. It is proposed to operate upon a daily schedule July 1st to July 15th each year, tri-weekly between September 15th and October 15th, and special trips by appointment to be made at other times during the year.

Mr. McKernan protests upon the ground that the proposed service will interfere with his service between Porterville and Springville. However, applicant does not propose to serve any point between Springville and Porterville, as he quotes rates only between Porterville and Camp Nelson and Springville and Camp Nelson, and not between Springville and Porterville or to any intermediate point between those towns.

Mr. McKernan's schedule, which he is obliged to maintain approximately under his mail contract, provides for leaving Porterville at 10:30 A.M., returning to Porterville at 3:00 P.M. This would not permit passengers from Camp Nelson to make the round trip the same day, nor afford as good train connections, if passengers were required to transfer to his line at Springville, as will be afforded the traveling public by applicant's proposed through schedule. The schedule of the Southern Pacific branch line does not afford suitable connection with main line trains.

There being no public transportation at present between Springville and Camp Nelson, and it appearing/^{not} to be convenient for travelers to transfer to or from the rail or stage line at Springville, the application should be granted.

O R D E R

A public hearing having been held upon the above entitled application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Charles B. Smith of automotive passenger, express and freight service between Porterville and Camp Nelson and between Springville and Camp Nelson, but does not require local service between Porterville and Springville or any intermediate points.

The operative rights and privileges hereby established may not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

No vehicle may be operated in said service unless said vehicle is owned by the applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY ORDERED that applicant shall, within fifteen days from the date hereof, file with the Railroad Commission his schedules and tariffs covering said proposed service, which shall be in addition to proposed schedules and tariffs accompanying the application; shall show each point proposed to be served, and quote rates to and from each such point; and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be within thirty days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become ef-

fective until and unless the above mentioned schedules and tariffs are filed within the time herein limited.

Dated at San Francisco, California, this 30th day of January, 1922.

H. B. Randall

Wm. A. Lawrence

W. J. Tompkins

Commissioners.