Decision No. 10130

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of F.L. McCAULEY operating under the fictitious name of the Cajon Stage Line for certificate of public convenience and necessity to operate passenger automobile service between Los Angeles and Victorville, California.

ORIGINAL

Application No. 7334.

F.L. McCauley, Applicant, in propria persona E.T. Lucey and E.E. McCarty, for Atchison, Topeka and Santa Fe Railway, Protestant W.B. Glover, for Motor Transit Company, Protestant.

BY THE COMMISSION:

OBINION

F.L. McCanley has applied to the Railroad Commission for a certificate of public convenience and necessity to operate automobile passenger service between Los Angeles and Victorville.

A public hearing was held by Examiner Williams at Los Angeles, at which time the matter was submitted and is now ready for decision.

Applicant proposes to operate a seven-passenger automobile between termini, leaving Ios Argeles Tuesdays and Fridays, and leaving Victorville Wednesdays and Saturdays, departures being at 7:30 A.M. each day. The schedule calls for a four-hour run between termini, over the Valley Boulevardto Ontario, thence north via Euclid Avenue to Highland Avenue east to the junction of the El Cajon Pass highway (at the conjunction of Mt. Vornon Avenue) and thence north over said highway to Victorville.

Applicant proposes a round trip rate of \$8.00.

The distance to be traversed is 102 miles. At the hearing be testified that he intended to carry only passengers originating east of Lytle Creek for Los Angeles, and vice versa, but expected to carry passengers from and to Los Angeles. East of Lytle Creek applicant proposed to serve Devere, El Cajon, Hesperia, Apple Valley and Victorville. His schedule of intermediate fares was equitable.

Applicant produced witnesses to show public necessity for his service. Their testimony was that many travellers inquired for stage service and that many, including the witnesses, would use it, especially in getting into San Bernerdino and Los Angeles early in the day. They also complained that the Santa Fe service was dilatory and uncetisfactory. The testimony, however, was not convincing that there is public need of additional service, especially when the character of service proposed is compared with the expressed wishes of the witnesses.

Applicant would afford but two trips each way each week. The convenience of service to the public, if there should be a need, requires an improvement of existing service.

Protestant Santa Fe Railway maintains fourteen trains, seven in each direction daily. Of this number, eleven trains are during hours convenient to travellers. The time between termini varies from four to five hours, according to the train schedule. An exhibit of the Santa Fe shows that 90 per cent of its business is through traffic between Los Angeles and Victoriville and that the remainder is for points between Lytle Creek and Victorville. The round trip fere of protestant between termini is \$8.48, and its intermediate fares about on equality

with those proposed by applicant.

As applicant's proposed service does not improve that of protestant and as the showing of public need was not convincing, it follows that under all the facts shown, granting a certificate is not justified.

ORDER

F.L. McCauley having applied to the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of automobile passenger service between Los Angeles and Victorville,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity do not require the establishment of service as applied for and that application herein be and the same hereby is denied.

Dated at San Francisco, California, this 27 th day of Selway, 1922.

Dring Mattain

Commissioners.