

Decision No. 10217

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of H. A. CROSS for certificate of public convenience and necessity to operate automotive passenger stage service between Big Basin and Santa Cruz, via Boulder Creek and Ben Lomond.

Application No. 7263.

Gwyn H. Baker for Applicant.  
M. L. Booth in propria persona.  
E. Shillingsburg for Southern Pacific Company.  
Geo. W. Smith for Boulder Creek Stage Line.  
Frank Reanier in propria persona.

BY THE COMMISSION.

O P I N I O N

A public hearing was held by Examiner Westover at Santa Cruz upon the above application of H. A. Cross to operate automobile passenger stage service between Big Basin and Santa Cruz, via Boulder Creek and Ben Lomond, this being an extension of his present operative rights between San Jose and Big Basin. He proposes to operate during the summer tourist season, one round trip daily between San Jose and Santa Cruz, using 7-passenger touring cars.

The present carriers are the Southern Pacific Company, operating a line between San Jose and Santa Cruz, via Los Gatos, with a branch serving between Felton and Boulder Creek; M. L. Booth, operating a passenger stage between Big Basin and Boulder Creek; and the estate of James A. Harvey, deceased, operating a passenger stage line between Big Creek and Santa Cruz.

The principal ground of the application is that there is at present no means of public transportation by which the

travelling public can leave San Jose and visit the pleasure resorts of the Big Basin and of Santa Cruz, and return the same day. Applicant's proposed schedule provides for leaving San Jose at 10:00 A.M. and arriving at Big Basin at 12 noon, as at present, stopping 45 minutes at the Big Basin; arriving at Santa Cruz at 2:45 P.M., stopping 45 minutes at Santa Cruz, and returning via Big Basin, allowing 15 minutes there on the return trip, and arriving at San Jose at 7:45 P.M. Applicant proposes the above operation only during the tourist season, between May 1st and October 1st of each year.

The present stage lines have operated throughout the year and during very adverse road conditions. At the time of the hearing, a portion of the route, embraced within a detour where the highway was under construction, was operated by mules and wagon, connecting with automobile stages at each end of the detour. These lines, which are able to render the service during the winter season when travel is light, appear to be able to render the service during the summer season when the travel is heavier.

The opportunity was afforded them by Examiner Westover to confer and determine whether or not they wished to file new schedules, which would accommodate passengers desiring to make the round trip between Santa Cruz and San Jose in one day, visiting Big Basin en route. Mr. Booth has filed a new schedule, providing for two round trips daily between Boulder Creek and Big Basin, and the Harvey Estate has filed a new schedule, providing for 2 round trips daily between Santa Cruz and Boulder Creek, one in each direction, with a third schedule to accommodate freight and passengers. It appears to be impossible to use these schedules in such a way that the round trip can be made from Santa Cruz to

Big Basin and return to Santa Cruz the same day, or to get through from San Jose to Santa Cruz in one day, using all three stage lines; or to get from Santa Cruz to San Jose in one day, using the three stage lines. It is possible to make the round trip between San Jose and Big Basin, returning the same day, by a combination of rail and stage lines, through <sup>Boulder</sup> Creek, and to make a similar trip from Santa Cruz to Big Basin and return to Santa Cruz the same day; but it appears to be impossible, by any combination, to make a round trip in one day over the lines of the present carriers which will include Santa Cruz, Big Basin, and San Jose. There appears from the testimony to be considerable demand for facilities permitting such a trip, as the great majority of applicant's present passengers travelling from San Jose to Big Basin, return with him the same day rather than remaining over night at any point between San Jose and Santa Cruz, or at Santa Cruz.

#### ORDER

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 necessity and convenience require the operation by H. A. Cross, during the season May 1st to October 1st in each year, of an automobile passenger stage service between Big Basin and Santa Cruz in connection with and as an extension of his present operative rights between San Jose and Big Basin; but public convenience and necessity do not require such service to or from any intermediate point between Big Basin and Santa Cruz, and nothing herein contained shall be construed as authorizing local service to or from or between any such intermediate points between Big Basin and Santa Cruz.

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

Dated at San Francisco, California, this 2<sup>nd</sup> day of March, 1922.

W. D. Loveland  
Quincy Martin  
Charles H. Lawrence

Commissioners.