

Dec. 10 548.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application
of NERI T. HOXIE, A.F. HUBBARD
and C.J. STEWART, co-partners,
for a certificate declaring that
the public convenience and necessity
require a passenger, baggage and
express, automobile stage and trans-
portation service between Escondido,
and Palomar Mountain Post Office, via
Rincon, Amago, Warner Dam Site, and
the East End Grade, and permit to
maintain and operate same

ORIGINAL

Application No. 7778.

In the Matter of the application
of GEORGE E. WARING and A.L.
LINTHICUM for a certificate declaring
that the public convenience and ne-
cessity require a passenger and bag-
gage automobile stage and transpor-
tation line, between Escondido,
California, and Palomar Mountain Camp
Sites, and permit to maintain and
operate same.

Application No. 7824.

Messrs. Wright and McKee, by Dempster McKee, for
Applicants, Neri T. Hoxie, A.F. Hubbard, and C.J.
Stewart.

L.N. Turrentino, for Applicants, George E. Waring
and A.L. Linthicum.

K.F. Beyerle, for Marietta Mineral Hot Springs Auto
Stage Line, Protestant.

BY THE COMMISSION:

O P I N I O N

A public hearing was held by Examiner Westover
at Oceanside on the above entitled applications seeking authority
to operate passenger, baggage, and express service between
Escondido and Palomar Post Office, serving Valley Center, Rincon,
Amago, Warner Dam Site, and Palomar Camp Sites as intermediate

points. Messrs. Waring and Linthicum, by Application No. 7824, also apply for authority to operate a freight and express service over the same route. At the hearing, Counsel withdrew request for authority for Messrs Waring and Linthicum to operate a passenger service, and by leave, amended the application of Hoxie et al, Application No. 7778, to increase minimum charge on express packages to 50¢, and increase the rate to 2¢ per pound, and to limit the size of parcels carried to 25 pounds, the stipulated purpose being to limit the service proposed by Mr. Hoxie and his associates to that of passenger business and the carriage of small express matter as a special accommodation, leaving the freight and express business to be handled by Messrs. Waring and Linthicum.

Each applicant proposes to operate at the beginning only one round trip per week, but to provide for additional trips as the traffic may demand.

It appears from the testimony that a large storage dam is being built at a point about eight miles south-easterly from Amago, and that about 100 men are now employed on the work, with the expectation that the number will be increased to an estimate of from 300 to 500 men, ^{and} that at the camp resorts on Palomar Mountain there are usually from 400 to 600 campers during the season. The proposed operation is seasonal, between April 1st and October 1st of each year, during the period of usual summer travel. There is at present no public means of conveyance between Escondido and these points. Mr. Hoxie operates a stage line between Escondido and Oceanside, at which point his stages connect with the Pickwick Stages operating between Los Angeles and San Diego via the Coast Route.

By application No. 7855, Mariotta Mineral Hot Springs Auto Stage Line is seeking authority to operate between Temecula and Warner Hot Springs, via Pala Mission and Warner Dam Site, while not wholly abandoning its present route via Aguanga. The only objection which that line offered to the proposed operations by applicants herein, is the fact that both lines would use the same road between Rincon and Warner Dam Site. There is no merit in the point as it sufficiently appears that there is a public need for service between the Dam Site and the Camp Sites on Palomar Mountain on the one hand, and Escondido on the other, which need the Mariotta Line does not propose to supply even if its application be granted.

If the construction of the dam should continue beyond October 1st, as is likely, applicants should later ask authority to continue operation until the dam is completed.

ORDER

A public hearing having been held on the above entitled applications, both matters being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation, between April 1st and October 1st of each year, by Neri T. Hoxie, A.F. Hubbard and C.J. Stewart, co-partners, of an automotive passenger, baggage and express service for parcels weighing 25 pounds or less, between Escondido and Palomar Post Office, serving Valley Center, Rincon, Amago, Warner Dam Site and Palomar Camp Site, as intermediate points, and

That public convenience and necessity require the operation by George E. Waring and A. L. Linthicum of automotive freight and express service between all of the above named points, during the season from April 1st to October 1st in each year.

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 applicants shall, within fifteen days from the date hereof, file with the Railroad Commission 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 herein.

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 8th day of June, 1922.

Commissioners.