

Decision No. 10894.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the petition of
JACK PASSMORE for certificate of
public convenience and necessity
to operate passenger service be-
tween the City of San Diego and
Tia Juana, Mexico.

Application No. 7971.

ORIGINAL

Ralph F. Twombly for Applicant.

Sample & Horden, by Ed. P. Sample,
for Sutherland Tia Juana Stages,
Protestant.

BY THE COMMISSION.

O P I N I O N

The applicant herein seeks a certificate of public convenience and necessity for the operation of a passenger automobile service between San Diego and Tia Juana, Mexico, serving as intermediate points Otay, Neston, Palm Station, San Ysidro and Chula Vista, all in San Diego County. These points are now served by the Sutherland Stages, operating under a certificate of public convenience and necessity issued by this Commission, and by which line the application was protested.

The applicant is a laborer in the employ of the gas company at San Diego. He owns no cars, but testified that he had sufficient financial backing to enable him to inaugurate the service with eight Cadillac and Packard cars, capable of handling eight passengers each, and that additional equipment was available and would be secured if the necessity therefor were shown.

Aside from Mr. Passmore himself, but two witnesses testified in support of the granting of the certificate; one, a stepbrother of the applicant, who, for a month during the past racing season, was in the employ of the Sutherland Stages; the second witness was a barber in San Diego who possessed no real knowledge of the situation.

Admittedly, the passenger traffic between San Diego and the border is very light and may be regarded as an incident to the through traffic between San Diego and Tia Juana. Were it not for this through traffic, the record indicates that a stage line could not be successfully operated. The 1920 census gives Chula Vista a population of 1718; Otay and Nestor each have 200 inhabitants. Chula Vista is reached by an electric line from San Diego. The applicant testified that in his opinion the local traffic was not properly cared for, since the stages between San Diego and Tia Juana were ordinarily filled, making it necessary for local passengers to wait in the stage stations until a vacant seat was to be had. With the additional service here proposed, it was stated that the requirements of the residents of those communities would be better met.

The City Clerk and Deputy City Attorney of San Diego both testified that within the past year seven applications have been made to the City Council to operate stage lines between San Diego and Tia Juana, all of which have been denied because that body felt that the existing service was adequate and there was no necessity for an additional line. During a portion of last winter, a stage line operated between San Diego and Tia Juana without having secured the consent of the City Council of San Diego. A check made on those cars by police officers during a period of eight or nine days showed that but two passengers were carried to points this side of the border.

Mr. Sutherland testified that the Sutherland Stage Line owns 15 cars, leases 15 others, and is in a position to lease such additional cars as may be necessary to handle the traffic. On July 4th of this year, 39 cars were operated by that line; they made 245 round trips, handled 1419 passengers to Tia Juana, 1377 from Tia Juana to San Diego, and 98 passengers between San Diego and local points. In June, 1922, the Sutherland Stages made 1947 round trips between San Diego and Tia Juana, and the schedule averaged a car every 14 minutes either way between 6:30 a.m. and 9:15 p.m. From Tia Juana to San Diego in that month the cars averaged two empty seats, and, in the opposite direction, 1-1/3 empty seats. During the racing season at Tia Juana, Mr. Sutherland has operated as many as 60 stages. Mr. Sutherland's equipment is ample to take care of four times the amount of passengers now being carried on this route, except on Saturdays and Sundays when that line is able to transport twice as many passengers as on the average present themselves. Arrangements have been made whereby local passengers may be assured of seats by telephoning in advance for accommodations. Under such conditions, cars leave the termini with instructions to pick up passengers at designated stations, seats being held for such passengers.

There were present in the court room 22 persons prepared to testify to the general effect that the service of the Sutherland Stages was satisfactory, and it was stipulated by counsel that these persons, if called, would so testify.

The facts of record show clearly that public convenience and necessity do not require the inauguration of the additional service proposed, and the application will be denied.

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 do not require the operation by Jack Passmore of a passenger automobile service between San Diego and Tia Juana, Mexico, or intermediate points.

IT IS HEREBY ORDERED that the application be and the same is hereby denied.

Dated at San Francisco, California, this 33rd day of August, 1922.

H. C. Brundage
David Martin

L. J. Brundage

Commissioners.