

Decision No. 11070

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
W. R. De WOLF for certificate of
public convenience and necessity to
operate passenger auto stage service
between Diamond Springs and Sacramento,
and between Diamond Springs and Placer-
ville.)
Application No. 8088.

Edwin M. Otis, for applicant.
E. A. Enceel by Jas. A. Miller, for
Pierce Arrow Stage, protestant.
C. E. Spear for Southern Pacific Company,
protestant.

BY THE COMMISSION.

O P I N I O N

A public hearing was held by Examiner Westover at Placerville upon the above application to operate passenger stage service between Diamond Springs and Placerville and between Diamond Springs and Sacramento serving as intermediate points El Dorado, Shingle Springs, Clarksville, Folsom, Natomas, Fair Oaks, Mills, and Perkins.

At the hearing applicant stipulated that he would perform no local service between El Dorado and Sacramento and intermediate points.

The Southern Pacific Company serves all of above points except Diamond Springs, Fair Oaks and Clarksville with one round-trip a day. There was no testimony offered concerning need of service for the latter two points. All points except Diamond Springs

and Fair Oaks are served directly by Pierce-Arrow Stage with modern 18-passenger stages operating two round-trips a day via Orangevale, and one round-trip a day via Mills.

Applicant seeks authority to carry passengers on his mail stage one round-trip a day upon a schedule which will permit transaction of ~~business~~ in Placerville, the county seat, returning the same day, but would precede the present stage a few minutes. For Sacramento applicant would leave Placerville at 3:00 p.m. and arrive 5:45 p.m., the present stage leaving at 3:45 and arriving at 6; and return leaving 8:00 a.m. and arriving at 10:45 a.m., present stage leaving at 8:00 a.m. and arriving at 10:15 a.m.

The testimony, which was confined to needs of Diamond Springs and vicinity, shows a population in the vicinity estimated at 250 to 350 and 400 in the school district. These estimates include about 75 men employed in the box factory and lumber yard a half mile north of the town. There are also about 200 men employed in lumbering operations about 30 miles east at the end of the Diamond & Calder Railroad. The train from the woods is due at 3:15 and applicant's stage would leave at 3:20 p.m., going direct to El Dorado 2 miles west, where Pierce-Arrow Stage for Sacramento passes at 4:05 p.m., arriving as shown, 15 minutes later than applicant's proposed schedule. To use the Southern Pacific out, passengers would have to remain over night, go about a mile north to the railway station, and leave at 7:25 a.m.

There was testimony to the effect that Pierce-Arrow stages have refused for about two years to take passengers in to Diamond Springs, 1-1/2 miles south of the highway, or to come for them on telephone call as formerly; and ^{contrary} testimony to the effect that such service is still performed upon demand upon tickets sold to and from Placerville.

An examination of the Commission's records fails to show any authority for service to and from Diamond Springs by Pierce-Arrow Stage, and the practice of taking passengers to or from that point should cease at once.

Diamond Springs passengers, estimated at 4 or 5 a day in and out, should be provided with regular dependable transportation. This can be best done by authorizing applicant to operate passenger service between Placerville and El Dorado via Diamond Springs, transferring passengers to and from points west of El Dorado and from Pierce-Arrow stage at the latter point, where he can make a close connection in each direction.

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 CERTIFIES that public convenience and necessity require W. R. De Wolfe to operate passenger stage service between Placerville and El Dorado serving Diamond Springs as an intermediate point.

This certificate is granted subject to the following conditions:

1. 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 been procured.
2. 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.
3. IT IS HEREBY ORDERED that applicant 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.

4. The authority herein contained shall not become effective until and unless the above mentioned schedules and tariffs are filed within the time herein limited.
5. IT IS HEREBY FURTHER ORDERED that A. L. Richardson, doing business under the name of Pierce-Arrow Stage, be and he is hereby ordered to forthwith cease transporting passengers to or from Diamond Springs.

Dated at San Francisco, California, this 24 day
of October, 1922.

Dwight Martin
Chief of Bureau
J. P. ...

Commissioners.