

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of G. L. LEDFORD and M. O. HULBERT for certificate of public convenience and necessity to operate automobile passenger and freight service between Navarro and Albion, Mendocino County, California.

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) Application No. 8242.
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ORIGINAL

- Casper Ornbach for applicants.
- Jas. A. Lyons and C. F. Flinn for Albion Railroad.
- Sanborn & Roehl for California Western Railroad and Navigation Co.
- Devlin & Brookman for Coast Line Freight & Stage Co.
- J. J. Geary for Northwestern Pacific Railroad.

BY THE COMMISSION.

O P I N I O N

The above entitled application as filed seeks a certificate of public convenience and necessity to operate an automobile passenger and freight service between Navarro and Albion in Mendocino County. It appeared at the hearing, however, that the applicants are now operating an automobile stage line between Cloverdale in Sonoma County and Navarro, and what they really desire is to extend that service over the new highway now being constructed between Navarro and Albion so as to make the latter point rather than Navarro the western terminus of the route. Request was made at the hearing held before Examiner Eddy at Cloverdale on October 13th that the application be so amended.

Albion is on the ocean twenty miles south of Fort Bragg. It is the western terminus of the Albion Railroad, owned by the

Albion Lumber Company, and which extends in a southeasterly direction through Navarro to Christine, a distance of about twenty miles. Albion and Navarro each have a population of between 300 and 400 persons most of whom are employes of the lumber company which operates mills at both points and owns practically all the land along the highway and the railroad right of way. The Albion Railroad operates one train a day between its termini, leaving Albion at 7:30 in the morning for Navarro and on the return trip leaving Navarro at noon. In the past when the mills have been shut down the train service was apparently discontinued. The lumber company is now under a new management. The train has run regularly since March 15 of this year and the manager of the road testified that in the future regular service will be maintained even though the mills should be shut down. In the event the passenger and freight service do not require the use of a locomotive and car the company will operate a closed motor car with baggage facilities. Few, if any, people live along the right of way and most of the patrons of the railroad are employes of the lumber company. The average number of passengers handled by the line per month since January 1, 1922, has been 115 and the average monthly passenger revenue \$131.10 which includes fares paid by employes of the lumber company not entitled to free transportation. In so far as the local service between Navarro and Albion is concerned the record shows conclusively that at the present time the railroad company is meeting the traffic requirements of that territory and public convenience and necessity do not require the operation of the proposed automobile stage line.

Looking at the situation from the standpoint of a through service between Albion and Cloverdale complications at

once arise. The mileage between Albion and Cloverdale over the proposed route is considerably shorter than that of the route now open to travelers between these points. At the present time in order to reach Cloverdale and other points on the Northwestern Pacific a resident of Albion has his choice of two routes. He may use the Albion Railroad to Navarro and thence the stage line of the applicants to Cloverdale, but the morning train from Albion does not reach Navarro until after the departure of the stage for Cloverdale at 8 o'clock so that this route is not a practical one; if it is to be used the resident of Albion must arrange for his own transportation between that point and Navarro. The Coast Line Freight and Stage Company operates a stage line between Albion and Fort Bragg which line connects with the train service afforded that community by the California Western Railroad and Navigation Company and the Northwestern Pacific. The proposed service will conflict with this combined service and the application is protested by the several parties thereto.

The present service afforded by the Coast Line, California Western, and Northwestern Pacific will be considered in some detail, travel to and from San Francisco being regarded as a typical movement. Two trains a day are operated between Fort Bragg and San Francisco. The Coast Line stage leaves Albion at 8:00 a.m. and arrives Fort Bragg 9:15; the California Western train leaves that point at 10:45 and arrives San Francisco 7:35 p.m. The applicant proposes to leave Albion at 7:00 a.m. and arrive Cloverdale in time to connect with a Northwestern Pacific southbound train leaving that point at 1:28 and reaching San Francisco at 5:05 p.m. In other words, one taking advantage of the proposed service from Albion to San Francisco would leave Albion one hour earlier than via the present route and arrive in San Francisco two and one-half hours earlier, an actual saving in

time of one and one-half hours.

The Fort Bragg train northbound leaves San Francisco at 7:45 a.m. and reaches Fort Bragg at 4:15 p.m. The Coast Line stage connecting with this train reaches Albion at 6:00 p.m. Under the proposed schedule the passenger would disembark from this train at Cloverdale at 11:15 a.m. and would reach Albion by stage at 6:50 p.m. The running time via this route is therefore thirty minutes longer than over the present rail and stage route.

A night service is also maintained between Fort Bragg and San Francisco. It is now possible to leave the latter point at 8:15 p.m. and reach Fort Bragg 12 hours later. Stage connection may then be had for Albion. Sleeping cars are operated on the night trains between Fort Bragg and San Francisco. A resident of Albion may now leave his home at 5:00 p.m., arrive Fort Bragg 6:00 p.m., leave Fort Bragg by train at 9:00 p.m. and reach San Francisco 12 hours later. The Coast Line sells through tickets in connection with this route. In January of this year 16 such through tickets were sold to San Francisco, in February 8, March 5, April 4, May 9, June 15, July 20, August 40, and September 26. These figures however are hardly a fair indication of the amount of travel between Albion and San Francisco as not all travelers purchase through tickets. The representative of the California Western testified in some detail concerning the sleeper service from Fort Bragg to San Francisco. His figures showed that 60 per cent of the travel on that line was on the day train and 40 per cent on the night train. The sleeper service barely pays the out of pocket operating cost and the position of the Railroad is that should this travel be in any way diminished the operation of the sleeper will needs be discontinued. The same fear was expressed by several residents of Albion and Fort Bragg. That this night service is a great convenience and necessity to

the residents of that section of the country cannot be doubted; in many respects the service is exceptional for the number of cities of this size in the United States enjoying a similar service is extremely limited. Unless the proposed service were greatly superior to the service now being operated we should hesitate to take any action the result of which might be a withdrawal of this sleeper service and possible change in the train schedule between Fort Bragg and Willits.

It is probably true that were the proposed service permitted it would result in added convenience to some individuals. But in reaching our conclusions in such matters public convenience and necessity must both be shown. One of the witnesses called by the applicants testified that in his opinion the proposed line "would be a convenience but not an absolute necessity". Another witness called by the applicants stated that he would not say it was "absolutely necessary but would be a big convenience". It was frankly admitted by one of the applicants that having a route between Cloverdale and Navarro, they wished, in anticipation of the opening of the new highway between Navarro and Albion, to be the first applicants for a certificate over that route. The local traffic originating at or destined to intermediate points between Cloverdale and Navarro or Albion is very light.

To repeat, therefore, the proposed service will duplicate the morning service offered by the Albion Railroad from Albion to Navarro; it will save about 1-1/2 hours traveling time from Albion to San Francisco and will require 30 minutes longer from San Francisco to Albion than over the present route. In view of all the facts appearing of record it is clear that public convenience and necessity *do* not require the operation at this time of the proposed service, either locally between Navarro and Albion or as a through service between Albion and Cloverdale. The application will

therefore be denied.

ORDER

A public hearing having been had on the application of G. L. Ledford and M. O. Hulbert to operate an automobile stage line for the transportation of passengers and freight between Cloverdale and Albion,

THE COMMISSION HEREBY CERTIFIES that public convenience and necessity do not require the operation of the proposed service.

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

Dated at San Francisco, California, this 31st day of October, 1922.

H. B. Sundegg
Erving Martin
Chas. H. Lawrence
J. W. Benedict

Commissioners.