

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the Matter of the Application of  
CHARLES C. SMITH for certificate of  
public convenience and necessity, to  
operate passenger and baggage service  
between Highlands Inn and Monterey,  
Monterey County, California.

Application No. 8342.

F. A. Treat for the applicant,  
Argyle Campbell and J. Sherman Woolf for  
the protestant, C. O. Goold  
H. C. Jorgenson, for Geo. Farmer, protestant.

BY THE COMMISSION:

O P I N I O N

CHARLES C. SMITH has petitioned the Railroad Commission for an order declaring the public convenience and necessity require the operation by him of automobile stage line as a common carrier of passengers and baggage between Highlands Inn and Monterey and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Monterey on November 21, 1922. The matter was submitted and is now ready for decision.

Applicant proposes to charge rates and operate on a time schedule in accordance with Exhibits "A" and "B" attached to said application, using as equipment one new White 16-passenger motor bus, described in Exhibit "C". C. O. Goold, who operates an authorized auto stage passenger service between Monterey and Carmel-by-the-Sea protested the granting of this application.

The applicant testified in his own behalf and called a large number of witnesses in support of the application. The witnesses consisted of residents of the communities proposed to be served.

The testimony shows that Highlands Inn is a resort located about nine miles south from Monterey and about five miles from Carmel-by-the-Sea and has accommodations for about one hundred (100) guests. During six months of the year, this resort does a large business and all of its accommodations are absolutely filled. About twenty-five (25) or thirty (30) families reside in private homes in the immediate vicinity of Highlands Inn and the evidence shows that practically all of these residents desire this proposed stage service. It was shown that at least twenty-five hundred (2500) people visit this resort in the summer months. Heretofore, passengers desiring to go to Highlands Inn or vicinity have used the Goold stage line to Carmel-by-the-Sea and then hired taxicabs from that point to Highlands Inn. Applicant offered complaints to the effect that passengers arriving on the South-bound train at 7:30 P. M. and the North-bound train at 8:40 P. M., had no regular stage service to carry them to Highlands Inn and that the Goold stage line did not always meet these evening trains.

C. O. Goold, protestant, testified in his own behalf and also called a large number of residents of Carmel-by-the-Sea and Monterey who testified that the protestant's service had always been adequate and satisfactory and that protestant had on many occasions gone off of his regular route to accommodate passengers between the two communities which he serves. It was also shown by protestant that the passenger travel between Monterey and Carmel-by-the-Sea would not justify the proposed additional service of said applicant.

After a careful consideration of all the evidence in this proceeding, we are of the opinion and find as a fact that the public necessity requires the operation by said applicant of a stage service between Monterey and Highlands Inn and the intermediate territory only between Carmel-by-the-Sea and Highlands Inn.

#### O R D E R

A public hearing having been held in the above appli-

cation, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation of an automobile stage line as a common carrier of passengers and baggage between Highlands Inn and Monterey and intermediate points only between Highlands Inn and Carmel-by-the-Sea; provided, however, that said applicant shall carry no passengers and baggage between Monterey and Carmel-by-the-Sea.

PROVIDED, FURTHER, that the operative rights and privileges hereby established, may not be discontinued, sold, leased, transferred nor assigned; nor the said service be abandoned unless the written consent of the Railroad Commission has first been secured, and;

PROVIDED, FURTHER, that 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 thirty (30) days from the date hereof file with the Railroad Commission his time schedule and tariff covering said proposed service, which shall be in addition to the proposed schedule and tariff accompanying the application and shall set forth the date upon which the operation of line hereby authorized will commence, which date shall be within sixty (60) days from date hereof unless time to begin operation is extended by formal supplemental order.

DATED at San Francisco, California, this 29<sup>th</sup> day of December 1922.

H. B. Brundage  
Wm. Martin  
J. F. French