

ORIGINAL

Decision No. 48212

DECISION NO. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application }  
of the LA JOLLA-CAMP KEARNY STAGE }  
COMPANY for certificate of public }  
convenience and necessity to op- } APPLICATION NO. 3310.  
erate motor stage service between }  
La Jolla and Camp Kearny. }

F. E. Mitchell for applicant.  
Lieut. Wm. M. Calvin for military author-  
ities, at Camp Kearny.  
H. B. Green, Supervisor, for Board of  
Supervisors, San Diego County.

BY THE COMMISSION.

O P I N I O N

Applicant requests that the Railroad Commission make its order declaring that public convenience and necessity require the operation by it of an automobile stage line as a common carrier of passengers between La Jolla and Camp Kearny, a distance of about 10.5 miles, both in San Diego County.

A public hearing was held by Examiner Westover at San Diego, November 10, 1917.

Applicant proposes to operate daily a minimum of four cars on following schedule:

<u>Lv. La Jolla</u>	<u>Arrive La Jolla</u>	<u>Lv. Camp</u>	<u>Arrive Camp.</u>
5.00 AM	6.45 AM	6.10 AM	5.55 AM
7.00 "	8.45 "	8.00 "	7.45 "
12.15 PM	2.00 PM	1.15 PM	1.00 PM
12.45 "	2.30 "	1.45 "	1.30 "
3.45 "	5.30 "	4.45 "	4.30 "
11.00 "	12.35 AM	11.45 "	11.45 "

Petitioner proposes to charge following fares for the service - 50 cents one way and 90 cents round trip.

Commutation Fares -

Book of seven round trip tickets (for personal or family use only) good for one week after date of purchase, will be sold at a 20% discount on regular fares.

Book of thirty round trip tickets (for personal or family use only) good for one month after date of purchase, will be sold at a 40% discount on regular fares.

The terminus in La Jolla is the Postoffice Garage. The terminus in Camp Kearny is near the Santa Fe station, at a point designated by the military authorities, applicant having been granted the necessary permit by such authorities, it appearing the declared policy of the military authorities to give exclusive rights to one responsible stage line operating over the route between Camp Kearny and La Jolla.

There are now located at Camp Kearny a great number of troops, which number will probably be increased in the near future. A number of army officers and their families reside at La Jolla, which is also a popular resort for soldiers from the Camp. The number of persons traveling between the points in question is increasing rapidly.

Applicant has been operating over the route since about September 12, 1917, most of the time on the above schedule, with extra trips when required. Passengers carried per day in both directions are estimated at about 500. No other carrier is operating over the same route or between the same points.

It was developed at the hearing that the name of the applicant is a fictitious trade name used by F. E. Mitchell and W. R. Middleworth, partners in business as Mitchell-Middleworth Company, and by Mrs. Frances Morris, who owns two cars operated in this service.

The business was originated by Mrs. Morris who operated two automobiles, a seven passenger Paige and a seven passenger Chalmers in a rental or taxicab business. When more cars were needed to handle the increased business the Mitchell-Middleworth Company placed in service a seven passenger Stevens Duryea and two Ford cars. They are now purchasing two seven passenger Hudson Super Sixes to place in this service when the Ford cars now used will be used only for emergency service.

The parties propose to organize a partnership or corporation to operate under the name in which application is made.

Applicant has not secured permits from either the City or County of San Diego as required by Section 3 of Chapter 213, Statutes 1917, but has made the necessary applications therefor. The order herein will not become effective until the Railroad Commission has made a supplemental order herein reciting that such permits have been secured.

We are of the opinion that this application should be granted subject to the conditions contained in the following order:

#### O R D E R

LA JOLLA-CAMP KEARNY STAGE COMPANY having filed a petition asking that the Railroad Commission make its order declaring that public convenience and necessity require the operation by it of an automobile stage line as a common carrier of passengers be-

tween La Jolla and Camp Kearny, a public hearing having been held, the matter having been duly submitted and now ready for decision, and the Railroad Commission being of the opinion that public convenience and necessity require the operation by W. R. Middleworth, F. E. Mitchell and Mrs. Frances Norris of an automobile stage line as a common carrier of passengers between La Jolla and Camp Kearny, on the conditions hereinafter specified,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by W. R. Middleworth, F. E. Mitchell and Mrs. Frances Norris of an automobile stage line as a common carrier of passengers between La Jolla and Camp Kearny, provided that this declaration shall not become effective until said W. R. Middleworth, F. E. Mitchell and Mrs. Frances Norris shall have secured from the Railroad Commission a supplemental order herein reciting that they have filed certified copies of permits from the city of San Diego and the county of San Diego, as provided by Section 3 of Chapter 213, Laws of 1917; and provided, further, that the rights and privileges herein granted shall not be assigned or transferred unless the written consent of the Railroad Commission to such assignment or transfer has first been secured.

Dated at San Francisco, California, this 12<sup>th</sup> day of November, 1917.

Man Thelan  
H. S. Howard  
Alfred Gordon  
Edwin O. Edgerton

Commissioners.