

ORIGINAL

Decision No. 5086-

DECISION NO. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of SUTHERLAND'S TIAJUANA STAGES)
for certificate of public conven-)
ience and necessity to operate a)
stage service between the city of)
San Diego and the city of Calexico.)

APPLICATION NO. 3387.

C. H. Van Winkle for Applicant
Warren E. Libby for Pickwick Stages,
Protestant.
T. Morgan for United Stages, Protest-
ant.
Geo. M. Waddell for White Star Stage
Line, Protestant.

BY THE COMMISSION.

O P I N I O N

Mariana Gear, owner of Sutherland's Tiajuana Stages, through F. A. Sutherland as General Manager, requests that the Railroad Commission make its order declaring that public convenience and necessity require the operation by applicant of an automobile stage service as a common carrier of passengers and baggage between San Diego and Calexico.

The following is a description of the equipment proposed to be used in this service:

<u>Make of Car</u>	<u>Seating Capacity</u>	<u>Horse Power</u>	<u>State License Number</u>
Chandler (1917)	Seven passengers	27	143740
Chandler (1917)	" "	29	290617
Chandler (1917)	" "	29	23875
Chandler (1917)	" "	29	256912
Eupmobile (1917)	Five	22	246391
Eupmobile (1917)	" "	22	246392

Applicant proposes to operate on a schedule of one round trip daily between San Diego and Calexico via the Imperial Valley Road and the State Highway and to serve as intermediate the communities at Cottonwood, Protrero, Campo, Warren's Ranch, Boulevard, Jacumba, Mountain Springs, Coyote Wells, Dixieland, Seeley and El Centro.

The rates of fare proposed to be charged by applicant were set forth in an exhibit accompanying the application.

A public hearing was held by Examiner Encell at San Diego on January 4, 1918, the matter was duly submitted and is now ready for decision.

Applicant relies upon the alleged increase of traffic between San Diego and the Imperial Valley and the fact that the proposed service will provide through cars between San Diego and Calexico, present routes requiring a change of cars at El Centro. Also upon the expectation of a considerable volume of business originating at or destined to points below the Mexican border and passing through Calexico, a port of entry. The applicant has proposed rates that are lower than those established by the companies at present operating in this territory and states that by reason of superior advantages in the purchase of material and supplies and methods of conducting operation that ample profit will result from the proposed establishment of service.

Mr. Edward Dool, President of the Board of Trustees of the City of Calexico, testified as to the rapid increase in the population tributary to that city and that Calexico, by the assessor's census, now contained about 4000 people. Mexicali, situated across the Mexican border, has also a population of approximately 4000 people. There are also ranches and intermediate

population that would be served if additional stage service were inaugurated. This witness was of the opinion that the convenience of the public desiring transportation by auto stage would be served by the establishment of a through service between San Diego and Calexico for the reason that the necessity for changing stages at El Centro would be eliminated, and that the general sentiment of his community was in favor of the establishment of the proposed line. He further stated that additional service would be a necessity in the summer months but was not so at this time. It appears that some difficulty has been experienced in the past at the transfer point at El Centro and that in a few instances passengers have been obliged to wait over for a stage following that advertised for the direct connection, but such instances appear to have been due to misunderstanding as to reservation made for the El Centro - San Diego portion of the trip.

Protestants testified as to conditions of operation and traffic on the proposed route and that twenty stage companies had been engaged in the traffic between San Diego and the Imperial Valley within a period of five years, all of which had withdrawn from the business. The Pickwick Stages are normally operating to 65% of their carrying capacity on scheduled trips and estimate that 10 to 15 per cent. of their business between San Diego and El Centro originates at or is destined to Calexico. The White Star Stage Line estimates that about 10% of their San Diego - El Centro traffic originates at or is destined to Calexico and that about 30% of such traffic is destined to other points in the Imperial Valley. This line is at present operating with an average of one-third of the seating capacity of cars on regular scheduled trips not occupied.

The United Stages, operating on the El Centro - San

Diego run and also between El Centro and Calexico, estimate that but 60% of the business formerly enjoyed between El Centro and Calexico now remains, due to the closing of the port of Calexico and the inability of patrons to cross into Mexico unless provided with passports.

The United Stages, operating out of El Centro to San Diego during the months of May to August, inclusive, handle passengers to the full seating capacity of their equipment, but during the remaining months of the year operate at but 30% of their seating capacity. Out of San Diego for El Centro, during the months of May to August, inclusive, not over 40% of the seating capacity of the stages on regularly scheduled trips is utilized and during the remaining months of the year 20% of the seating capacity of the regularly scheduled stages is vacant. This line estimates that under normal conditions and prior to the time that the passport regulations were imposed on persons desiring to enter Mexico, ten per cent. of the business handled on the San Diego-El Centro route originated at or was destined to Calexico.

After careful consideration of all the evidence in this proceeding, we are of the opinion that while some inconvenience may be necessary in connection with a change of stages at El Centro by passengers to or from San Diego who may originate at or be destined to Calexico, the service already rendered by established lines is not patronized to capacity and there was no showing that the established lines are not equipped to satisfactorily care for all business offering between these points. The Commission has repeatedly held in these matters that the public convenience and necessity is the deciding factor rather than the desire of any transportation company to enter the field on any

particular route. In this proceeding the applicant has expressed a desire to serve the route between San Diego and Calexico at a reduced rate of fare and has set forth that superior management and reduced cost of material and supplies justify such reduction.

The Commission, however, cannot ignore the testimony that many stage lines have been unable to profitably conduct the operation of the proposed route which traverses rough, mountainous country from San Diego until the Imperial Valley is reached, and the further fact that the present scheduled capacity of the trips offered by the established routes is considerably in excess of the demands of the traveling public.

We are of the opinion and find as a fact that the public convenience and necessity do not require the establishment of a stage line by the applicant between San Diego and Calexico.

O R D E R

Mariana Gear, owner of Sutherland's Tiajuana Stages, through F. A. Sutherland as General Manager, having filed an application requesting that the Railroad Commission make its order declaring that public convenience and necessity require the operation by the applicant of automobile stage service as a common carrier of passengers and baggage between San Diego and Calexico, a public hearing having been held, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by

Mariana Gear as owner of Sutherland's Tiajuana Stages of automobile stage service as a common carrier of passengers and baggage between San Diego and Calexico, and

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

Dated at San Francisco, California, this 30th day of January, 1918.

Max Thelen
H. J. Lowland
Alfred Gordon
Edwin O. Edgerton
Stanley R. Devlin

Commissioners.