

Decision No. _____.

ORIGINAL

Decision No. 5259

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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In the matter of the application
of O. R. FULLER for certificate
of public convenience and necessity
to operate automobile stage line
between San Bernardino, Redlands,
and points in the San Bernardino
Mountains.

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) Application No. 3498.
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Herbert W. Kidd for applicant.
Byron Waters for San Bernardino
Mountain Auto Line, protestant,
and O. A. Smith for Pacific
Electric Railway Company.

BY THE COMMISSION.

O P I N I O N

O. R. Fuller applies for certificate that
public convenience and necessity require him to operate
an automobile stage line in San Bernardino County for the
common carriage of passengers and freight between Redlands
and Big Bear Valley via Mill Creek Canyon route, and including
Forest Home, as successor to Harry L. Beale, who operated
over said route under the name of Beale's Mountain Auto
Line.

A public hearing upon the application was held by
Examiner Westover at San Bernardino.

At the hearing it was stated by applicant that the only reason for including San Bernardino in the application was that applicant might have the right to operate by way of San Bernardino and the so-called Crest Route via Skyland or to operate via San Bernardino and Victorville, in emergency, when the road via Mill Creek Canyon might be impassable because of storms. The matter will therefore be considered as an application for leave to operate between Redlands and the resorts on Big Bear Lake in the San Bernardino Mountains via Mill Creek Canyon route. The rates and fares proposed are the same as those charged by San Bernardino Mountain Auto Line, which serves all of the same points except Forest Home, except in one instance, in which the rate proposed is higher.

Mr. Beale has not operated under his schedule for several months although his schedule as filed with the Commission appears to be in effect throughout the winter as well as the summer season. His equipment has been disposed of.

San Bernardino Mountain Auto Line has for several years operated over the route in question, as part of its 101-mile "Rim of the World" trip from Redlands to Big Bear Valley, ^{and} via Skyland, through San Bernardino and return to Redlands, except that 4.3 miles of the Beale route connecting Forest Home Junction with Forest Home in Mill Creek Canyon has not heretofore been operated by San Bernardino Mountain Auto Line. By Application No. 3408, it seeks authority to operate over said 4.3 miles in addition to its present

route . At the hearing on that application, Mr. Fuller and Mr. Beale both appeared as protastants.

Mr. Fuller held and still holds, an option to purchase from Mr. Beale his good will, the use of the trade name of Beale's Mountain Auto Line and whatever rights Mr. Beale could convey growing out of the fact that he had operated the line long prior to May 1, 1917.

By stipulation of parties, the evidence taken in connection with Application No. 3408 is before us as part of the record in this application.

It was shown at the hearing of the present application that the Beale line in the ten months of 1917, ending October 31, handled a total of 1061 passengers. Of these, 703 moved between Redlands and Forest Home, and 283 between Redlands and Bear Valley, the remainder being destined for various intermediate points.

San Bernardino Mountain Auto Line handled during the season of 1917 a total of 8141 passengers, about 2000 of whom made the ^{said} round trip of 101 miles, including Mill Creek Canyon, Bear Valley points, and the Waterman Canyon route. The destinations of the remaining 6141 passengers, nearly all of whom were taken into the mountains, were not segregated, but it appears from the testimony that a very large number entered and left Bear Valley via Mill Creek Canyon, the route over which Mr. Beale has operated exclusively.

except in cases of emergency when he has returned to the Valley either via Skyland or via Victorville.

It also appears that the San Bernardino Mountain Auto Line has ample equipment and a satisfactory organization for handling the business, has done a great deal of advertising, has expended much effort in building up its business from a very modest beginning, and is abundantly able to furnish additional service to care for the needs of the traveling public.

It appears, therefore, that public convenience and necessity does not require the service which applicant proposes to arrange for.

O R D E R

O. R. FULLER, having applied to the Railroad Commission for authority to operate an automobile stage line between San Bernardino and Big Bear Valley points via Redlands and Mill Creek Canyon upon the schedules, rates and fares heretofore operated over said route or portions thereof

by Harry L. Beale, under the name of Beale's Mountain Auto Line, and a hearing having been held thereon,

AND IT APPEARING TO THE COMMISSION that public convenience and necessity does not require

the operation of the proposed service,

IT IS HEREBY ORDERED that the applica-
tion be and it is hereby dismissed.

Dated at San Francisco, California, this
1st day of ^{April}~~March~~, 1918.

Max Thelen

H. K. Howard

W. G. Gordon

Edwin O. Light