

ORIGINAL

Decision No. 5412

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)	
C. R. WATERMAN and G. L. SWEGER for)	
certificate of public convenience)	Application No. 3657.
and necessity to operate stage service)	
between El Toro and Santa Ana, California.)	

Walter Eden for applicants.

BY THE COMMISSION:

O P I N I O N

Applicants request an order declaring that public convenience and necessity require the operation of a passenger stage service between El Toro and Santa Ana, a distance of about 15 miles, in Orange County.

A public hearing on the application was held by Examiner Westover at Santa Ana on May 7, 1918.

The stage line operated by applicants was established about four years ago and has since been operated by four different owners, the immediate predecessor of applicants being a Mr. Groover, who quit operating the line without authority and abandoned it and sold his car. About May 1, 1918, some two weeks later applicants began operation with a 5-passenger Ford car which they had previously owned.

Applicants carried a total of 39 passengers in the first six days of May, and are very confident that their patronage will increase as it becomes known that direct stage service has been resumed.

El Toro is about a mile to the east of the State Highway connecting Los Angeles, Santa Ana, Capistrano and San Diego. Stages between Los Angeles and San Diego and between Santa Ana and Capistrano operate over that portion of applicants' route which follows the highway but neither of these stages normally

pass through El Toro. Since Mr. Groover ceased operating the El Toro stage line the Capistrano stage has been making a detour to accommodate its passengers to or from El Toro.

The Atchison, Topeka and Santa Fe Railroad also serves Santa Ana, Irvine and El Toro direct, operating three trains per day, leaving Santa Ana at 1:35 A. M. 10:03 A.M. and 2:21 P.M. and leaving El Toro returning at 11:05 A. M. and 3:17 P.M. Northbound early morning train does not stop at El Toro.

Applicants' cars leave Santa Ana at 11 A.M., and 4:30 P. M. and El Toro at 8 A. M. and 1:30 P. M., with an extra trip Saturday and Sunday, leaving El Toro at 7 P. M. and leaving Santa Ana returning at 11 P. M.

Both the Atchison, Topeka and Santa Fe Company and A. J. Kuss operating the Capistrano stage were notified of the hearing but did not appear, and it is therefore presumed that they have no objection to applicants' operating the local service in question.

ORDER

C. R. WATERMAN and G. L. SWEGER having applied for certificate that public convenience and necessity require them to operate a passenger stage service between Santa Ana and El Toro in Orange County, a public hearing having been held thereon, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by C. R. Waterman and G. L. Sweger of an automobile passenger service between Santa Ana and El Toro in Orange County;

PROVIDED, however, that this declaration shall not become effective until said C. R. Waterman and G. L. Sweger have procured from the Railroad Commission a supplemental order herein reciting that said applicants have filed herein certified copies of permits from the county of Orange and the city of Santa Ana as required 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 has first been procured.

IT IS HEREBY ORDERED that no vehicle may be operated under this certificate unless such vehicle is owned by the applicants herein or is leased by them under a contract or agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 21st day of May, 1918.

Max Tuleu
H. D. ...
...
Edwin O. Edgerton
Francis ...
Commissioners.