

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

In the Matter of the Application of
SEQUOIA NATIONAL PARK STAGE CO. for
certificate of public convenience and
necessity to operate passenger and
express service between Visalia and
the Sequoia National Park Line, via
Lomon Cove.

)
:
) Application No. 4561.
:
:
)

Harnsworth, McClure & Burke, for applicant.
Power & McAdzean and O. A. Smith, for the
Visalia Electric Railroad, Protestant.
Earl A. Macketanz, for the Exeter Board of
Trade and the Citizens of Exeter and
vicinity, Protestants.
N. F. Bradley, for Harry R. Kamp, Protestant.
Frank Lombertson, for the Visalia Board of
Trade.
A. E. Jewett, for the Hanford Board of Trade
and the Citizens of Kings County.

BY THE COMMISSION

ORDER

Orval Overall and E. L. Akin , partners in business
under the fictitious name of Sequoia National Park Stage Company,
have petitioned the Railroad Commission for an order declaring
that public convenience and necessity require the operation by
them of an automobile stage line as a common carrier of passengers,
baggage and express between Visalia and the Sequoia National Park
Line.

A public hearing was conducted by Examiner Handford at Visalia on Thursday, May 29th, 1919, the matter was duly submitted and is now ready for decision.

Applicants propose to charge rates in accordance with a schedule marked Exhibit "B" and attached to the application in this proceeding and to operate on a schedule of one round trip daily serving as intermediate points, the communities at Lemon Cove, Three Rivers and Kaweah. Applicants desire to operate between Kaweah and the boundary line of the Sequoia National Park during the period from May 20th to September 15th of each year, or during such period as the Federal authorities declare the Sequoia National Park open for visitors. Operation between Visalia and Kaweah is proposed to be conducted throughout the entire year. Applicants have not yet secured the equipment proposed to be operated over this line with the exception of a small truck which is to be used in the transportation of baggage and express matter. The passenger equipment is proposed to be secured by leasing same, at least for the summer season of the current year.

The applicants hold an exclusive concession from the Federal Government authorizing them to conduct a stage and transportation service within the limits of the Sequoia National Park and the purpose of this application is to establish a stage line from Visalia to the boundary of the Sequoia National Park, a distance of forty miles from Visalia. In past years the stage service which has been operated into the Sequoia National Park has been operated from Lemon Cove, but applicants herein considering Visalia as the more logical point for the commencement of the journey of tourists and visitors to the Sequoia National Park, have requested authorization of such a route with Visalia as the originating point.

Applicants base their desire for the establishment of Visalia as the originating point upon the fact that Visalia is served by a number of stage lines from San Joaquin Valley points, such stage lines having schedules which would deliver prospective passengers to the Sequoia National Park at Visalia at an hour in the morning which would enable them to take the stages of the applicants on the schedule as proposed. Trains of the Southern Pacific and the Atchison, Topeka and Santa Fe would also deliver prospective passengers at Visalia at an hour permitting connection to be made with the automobile stage service as proposed by applicants herein. The hour of arrival at Visalia from the Sequoia National Park is so scheduled as to permit passengers to take the night trains of the Southern Pacific Company and the Atchison, Topeka and Santa Railway to their destinations, north or south, such trains providing sleeping car accommodations. There would be few, if any, connections made with stage lines leaving Visalia for points in the San Joaquin Valley due to the late arrival of the stages of the applicants according to the schedule as now proposed, but Visalia offers satisfactory hotel accommodations for such patrons of the proposed line who might desire to spend the night in Visalia and resume their journey the following morning. Applicants herein also desire to handle local traffic between Visalia and Lemon Cove, such traffic being in competition with the service offered by the Visalia Electric Railroad.

Witnesses for applicants testified as to the public convenience and necessity to be served by the stage line as proposed by applicants herein and as to the desirability, in their opinion,

of the establishment of Visalia as the terminus of such line.

This application is opposed by the Visalia Electric Railroad, by the Exeter Board of Trade, by the Citizens of Exeter and vicinity, such protestants being represented by counsel at the hearing in this matter, also by protests from the citizens, representatives and tax payers of the town of Woodlake and vicinity, the town of Lemon Cove and vicinity, the City of Exeter and vicinity, and the citizens of the community known as Merryman and vicinity.

The Visalia Electric Railroad protests the granting of this application as regards the portion of the route between Visalia and Lemon Cove, the protest being based on the competition that will arise as regards the local business between these points and intermediate stations. The Visalia Electric Railroad serves the territory between Visalia and Lemon Cove, three daily trains being operated from Visalia to Lemon Cove and four daily trains being operated from Lemon Cove to Visalia, one train, however, between Lemon Cove and Visalia requiring a thirty-six minute lay over at Exeter.

The passenger business of the Visalia Electric Railroad is steadily decreasing, such decrease being declared by the operating officials to be due to the great number of privately owned automobiles which are used in the territory served by this line. Statements presented by this protestant indicate that the line has not been operated at a profit and that a deficit exists in that the revenues derived from operation do not equal the operating expenses. The business between Visalia and Lemon Cove for the calendar year 1918 approximates a revenue of but \$2,235.55 and it is apparent that such revenue would be diminished if authorization for a stage line operating between the same terminal points were to be made.

The evidence in this proceeding does not indicate any demand on the part of the public for the establishment of a local service by automobile stage between Visalia and Lemon Cove nor was any evidence presented which would indicate that the service of the Visalia Electric Railroad between Lemon Cove and Visalia was not ample for the needs of the traveling public. The Visalia Electric Railroad has ample equipment and facilities to satisfy the demands of traffic between these points.

Witnesses for protestants representing the communities above mentioned who oppose the granting of this application testified as to the satisfactory service given by the Visalia Electric Railroad and to their objection as to the establishment of the stage line over the route as herein sought. It appears that there is some contention between rival communities as to the originating point from which a stage line should start with a terminus in the Sequoia National Park, each community evidently desiring the publicity that would accrue by reason of their particular locality being selected as the point from which a stage line would commence its trips for the Sequoia National Park.

After careful consideration of all the evidence in this proceeding, we are of the opinion that public necessity and convenience do not require the establishment of an automobile stage line as a common carrier of passengers and express between Visalia and Lemon Cove on the route herein sought by applicants, the service of the Visalia Electric Railroad being sufficient to care for the local travel between Visalia and Lemon Cove and for the through travel originating at Visalia and destined to points beyond Lemon Cove to and including Sequoia National Park. The Visalia Electric Railroad has ample equipment and facilities to

satisfactorily handle all business offered over the portion of the route between Visalia and Lemon Cove and such minor adjustment of the matter of schedules can be made, rendering possible adequate and convenient service in connection with the stage line, whose terminal would be at Lemon Cove. Duplication of transportation facilities between points where but slight demand exists for service as appears from the evidence in this proceeding is not in the public interest, particularly so if existing transportation facilities are ample not only to meet the existing needs of the traveling public but to care for a considerable larger amount of business.

Applicants herein have secured permits from the Board of Supervisors of Tulare County and the Board of Trustees of the City of Visalia in accordance with requirements of Section 3 of Chapter 213, Laws of 1917, as evidenced by certified copies thereof filed with the application in this proceeding.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Orval Overall and E. L. Askin, partners in business operating under the fictitious name of the Sequoia National Park Stage Company, of an automobile stage line as a common carrier of passengers and express between Lemon Cove and the Sequoia National Park line, serving as intermediate stations, the communities at Three Rivers and Kaweah; provided, however, that the rights and privileges hereby granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

IT IS HEREBY ORDERED that the service herein authorized shall be operated from Lemon Cove to the Sequoia National Park line during such periods of each year as the Sequoia National Park may be open to visitors and automobile traffic and shall be operated

during the remaining portion of the year between Lemon Cove and Kaweah.

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

Dated at San Francisco, California, this 10th day of June, 1919.

Edwin C. Egan

Frank R. Debra

H. A. Prudig

Commissioners.