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Decision No. 7238.

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
W. M. MORRIS and ELMER T. LARSON for
certificate of public convenience and
necessity to operate auto stage ser-
vice between the City of Merced and
the City of Gilroy, California.)
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Application No. 4669

In the Matter of the Application of
MORENO and VALDEZ, for certificate of
public convenience and necessity to
operate auto stage service between
Hollister and Los Banos.)
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)

Application No. 4624

In the Matter of the Application of
W. S. CARTER for certificate of public
convenience and necessity to operate
auto stage service between Merced and
Los Banos.)
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)

Application No. 4707

In the Matter of the Application of
O. L. SWETT and JOSE FIGERCA, for cer-
tificate of public convenience and
necessity to operate an auto stage
line for passengers between Hollister,
San Benito County, and Merced, via
Los Banos, Merced County.)
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Application No. 4917

Harry A. Encell, for Applicant, Application 4669.
W. S. Carter, in propria persona; Application 4707.
O. L. Swett, for applicants, Application 4917.
Oscar Asturias Moreno, for applicants, Application 4624.

BY THE COMMISSION.

O R D E R

W. M. Morris and Elmer E. Larson 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 and parcels between the City of Merced and the City of Gilroy and intermediate points.

Applicants propose to charge rates in accordance with the schedule marked Exhibit "A" and filed with said application and to operate on a schedule of two round trips daily. The equipment proposed to be used consists of one eight passenger Packard automobile and one eight passenger Pierce-Arrow automobile.

Oscar AsturiasMoreno and George Valdez 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 between Hollister, San Benito County and Los Banos, Merced County and intermediate points.

Applicants propose to charge rates in accordance with the schedule marked Exhibit "A" and filed with the said application and to operate on a schedule of one round trip daily over a road serving Dunxville, Bells Station and San Luis Ranch. The equipment proposed to be used is not mentioned in the said application, but at the hearing it was shown that applicants propose to use at first a small car.

W. S. Carter has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers and parcels between the City of Merced and the City of Los Banos and intermediate points.

Applicant proposes to charge rates in accordance with the schedule marked Exhibit "A" and filed with said application and to

operate on a schedule of one round trip daily each way except Sundays. The equipment proposed to be used consists of one seven passenger Pierce-Arrow automobile and one five passenger Dodge automobile.

C. L. Swett and Jose Figeroa 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 between Hollister, San Benito County and Merced, via Los Banos, Merced County and intermediate points. Applicants propose to charge rates in accordance with the schedule marked Exhibit "A" and filed with said application and to operate on a schedule of one trip daily each way. The equipment proposed to be used consists of one eight passenger Chalmers and one eight passenger Hudson.

A public hearing on the above named applications was conducted by Examiner Satterwhite at Merced on February 13, 1920. The matters were consolidated for the purpose of receiving evidence and for the further reason that each application covered a portion of the territory for which certificates were applied for; and were duly submitted and are now ready for decision.

Application No. 4669 was amended at the hearing substituting E. A. Lewellen in the place and stead of W. M. Morris, as a co-applicant.

Applicants H. A. Lewellen and Elmer T. Larson introduced in evidence communications from Los Banos Chamber of Commerce and the Gilroy Chamber of Commerce strongly endorsing their application; several witnesses were also introduced showing the public necessity for this proposed ^{route.} The testimony showed that the road between Gilroy and Merced is a part of the well-known "Yosemite to the Sea" route, and if the proposed service is authorized, will

constitute a short and direct stage line from Merced to the Coast.

The train accommodations on the Southern Pacific are not satisfactory on account of poor connections and long waits and under the present train service, a person leaving Merced in the morning about 7:30 does not reach Gilroy until about 4 o'clock P. M. Whereas, over the proposed stage line, one can leave Merced at 8:30 A. M. and arrive in Gilroy at 12:40 P. M.

Residents along the line and traveling sales-men have urged the establishment of this line; families living in the territory who desire to visit the sea side in the summer months, as well as tourists on their way to and from Yosemite Valley will in a large measure patronize this service.

Favorable arrangements with other connecting auto stage carriers can be made for the advantage of travelers over this proposed line. It was shown that the Pacheco Pass road over which this line will pass is one of the most important cross roads in the State. Numerous inquiries have been made in Merced at the office of the stage companies relative to auto stage transportation to Gilroy and other points.

Oscar Asturias Moreno testified briefly in behalf of his own application, No. 4624 and offered no further evidence.

W. S. Carter testified briefly in support of his application, No. 4707 and offered no other evidence.

O. I. Swett testified briefly in support of his application, No. 4917 and offered no other evidence.

After a full consideration of the evidence, we are of the opinion that one auto stage line will serve, at present, the needs of public travel over the territory covered in the above named applications.

Applicants Moreno and Valdez, W. S. Carter, O. L. Swett and Jose Figeroa have not presented evidence which would justify the granting of their desired applications,- they made no affirmative showing other than an expression of their individual desire to operate.

Testimony offered by Elmer T. Larson and H. A. Jewellen affirmatively shows, and we find as a fact that the public convenience and necessity will be served by the granting of their application.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity does not require the establishment by Oscar Asturias Moreno and George Valdez of an automobile stage line as a common carrier of passengers, between Hollister, San Benito County and Los Banos, Merced County.

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

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity does not require the establishment by W. S. Carter of an automobile stage line as a common carrier of passengers and parcels between the City of Merced and the City of Los Banos and intermediate points.

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

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity does not require the establishment by O. L. Swett and Jose Figeroa of an automobile stage line as a common carrier of passengers between Hollister, San Benito County and Merced, via Los Banos, Merced County and intermediate points.

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

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by H. A. Jewellen and Elmer B. Larson of an automobile stage service as a common carrier of passengers between Merced and Gilroy and intermediate points,

Provided, however, that the rights and privileges hereby authorized may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been procured.

IT IS HEREBY ORDERED, that no vehicle may be operated under this certificate unless such vehicle is owned by 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 11th day of March, 1920.

H. B. Leonard

H. T. Brundage

Irving Martin

Commissioners.