

ORIGINAL

Decision No. 7457

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of )  
THE PICKWICK STAGES, NORTHERN DIVISION, )  
a corporation, for a certificate of )  
public convenience and necessity to )  
operate an automobile stage line as a )  
common carrier of passengers and express )  
packages between the termini of Fillmore ) Application No. 4469.  
and the junction of the Santa Paula )  
Road and the State Highway or El Camino )  
Real approximately two miles south of )  
Ventura city and just north of El Rio, )  
and intermediate points. )

N. C. Folsom for Applicant.

R. Morgan for United Stages, Protestant.

J. L. Hall for Santa Paula-Saticoy and Oxnard  
Stages, Protestant.

BY THE COMMISSION:

ORDER

Pickwick Stages, Northern Division, a Corporation,  
has petitioned the Railroad Commission for an order declaring  
that public convenience and necessity require the operation  
by it of an automobile stage line as a common carrier of pass-  
engers and express packages between Fillmore and the junction  
of the Santa Paula Road and the State Highway known as El  
Camino Real approximately two miles south of Ventura City  
and just north of El Rio and intermediate points.

A public hearing on this application was conducted

by Examiner Handford at Los Angeles, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked exhibit "A" and attached to the application in this proceeding; to operate on a schedule of one round trip daily serving as intermediates the communities at Saticoy, Somis and Santa Paula; using as equipment automobiles which are now operated by applicant in connection with service on other authorized lines now being conducted under the jurisdiction of the Railroad Commission.

Applicant relies as justification for the granting of this application upon the alleged fact that there is not at present any stage line or other means of transportation between the termini herein sought to be served and that the proposed service is to be operated in connection with service at present maintained by applicant and offering direct connection from the territory sought to be served with the communities at Ventura, Camarillo, Oxnard, Santa Barbara, Somis, Moorpark, Simi and Santa Susana.

The route herein sought to be served by applicant is paralleled between Fillmore and Santa Paula by the service of the United Stages, Incorporated, and the Ventura-Fillmore Stage Line. Between Santa Paula and Somis no service is given by any transportation company. Between Somis and Saticoy the service proposed is paralleled by the route of the United Stages, Incorporated. Between Saticoy and Ventura the service is paralleled by that of the Ventura-Santa Paula Stage. Witnesses for applicant testified as to traffic conditions existing in the territory sought to be served and as to the advantage which would accrue to the public by reason of the

establishment of the proposed local service over the route herein sought in connection with the through service already operated by applicant to Los Angeles and Santa Barbara.

The granting of this application is protested by the United Stages, Incorporated, and the Santa Paula-Saticoy and Oxnard Stages. A witness for protestant testified as to the limited traffic over the territory sought to be served by applicant and the probable effect of the granting of this application upon the ability of the existing authorized lines to satisfactorily serve the public if another competitor was allowed to enter a field in which traffic possibilities were extremely limited, there being no evidence indicating that additional business would be developed by the granting of this application and the subsequent operation over the desired route.

From the evidence in this proceeding it appears that it is the intent of the applicant to establish a local service primarily as a feeder for the through line of applicant between Los Angeles and Santa Barbara and applicant has proposed lower rates, in some instances than those existing by the use of the lines of the present authorized carriers. A comparison of the proposed rates with those now existing is as follows:

<u>Between</u>	<u>Present Rates</u>	<u>Proposed Rates</u>
Ventura and Saticoy	1.00	.50
Ventura and Santa Paula	1.25	.75
Ventura and Fillmore	1.65	1.00
Fillmore and Saticoy	.85	.75
Saticoy and Santa Paula	.50	.50
Moorpark and Santa Paula	1.50	.75

The only service offered by applicant to the public which is not now covered by the transportation facilities of existing lines is a direct service between Somis and Santa Paula and there was no evidence introduced at the hearing on

this application which would indicate that there was any desire on the part of the public for the service herein proposed by applicant and, while the rates of applicant are in practically all instances substantially lower than those offered by the present authorized lines, the evidence in this proceeding indicates that even with higher rates the existing carriers are receiving but limited patronage from the public in the communities proposed to be served. The establishment of a local service as a feeder for a through line can not be authorized solely because applicant proposes to serve a given territory at a lesser rate than that of existing carriers and there is no evidence before the Commission which would indicate that the service can be performed at the rates proposed and result in a profit being returned from the operation. It is, however, evident that the introduction of another competing line into the territory proposed to be served would substantially weaken the ability of the existing authorized carriers to render the character of service to which they are obligated under the statutory law and the regulations of the Railroad Commission. There is no evidence before the Commission that the service and rates of the existing authorized carriers is unreasonable or unsatisfactory to the public and no witnesses representing the public, either in support of the application or in protest, were presented at the hearing on this application.

The desire of an applicant to enter a specific territory, even though the proposed route will be a feeder for existing authorized routes, is not a measure of public convenience and necessity unless supported by competent evidence on the part of the public proposed to be served especially

is this true when an applicant by drastic reduction of rates seeks to enter a territory from which no complaints have been received as to existing rates or service as rendered by authorized carriers.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require <sup>the</sup> operation by Pickwick Stages, Northern Division, a Corporation, of an automobile stage line as a common carrier of passengers and express packages between the termini of Fillmore and the junction of the Santa Paula Road and the State Highway or El Camino Real approximately two miles south of Ventura City and just north of El Rio, and intermediate points.

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

Dated at San Francisco, California, this 15<sup>th</sup> day of April, 1920.

Edwin O. Edgerton  
H. B. ...  
Frank ...  
H. B. ...  
James Mattson  
Commissioners.