

ORIGINAL

Decision No. 8156

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)
WATERMAN AND KIETH for certificate of)
public convenience and necessity to)
operate auto stage service between)
Santa Cruz and California Redwood)
Park.)
.....)

Application No. 6072.

M. H. Waterman for Applicants.
L. M. Bradshaw for Southern Pacific
Company, Protestant.
George A. Smith for James Harvey,
Protestant.

BY THE COMMISSION:

O R D E R

M. H. Waterman and Jack Kieth, partners in business, proposing to operate under the name of Big Basin 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 between Santa Cruz and California State Redwood Park.

A public hearing on this application was conducted by Examiner Handford at Santa Cruz on September 21, 1920; the matter was duly submitted and is now ready for decision.

Applicants propose 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 during the season from May 1st to October 1st of each year.

At the hearing on this application there was no evidence presented in justification for the issuance of the desired certificate except that of one of the partners in the proposed business enterprise. Applicants are now operating a service into the California State Redwood Park and have had inquiries from the patrons of such service for transportation between such Park and Santa Cruz. The granting of the application is protested by the Southern Pacific Company and by James Harvey, the latter protestant operating a stage service between Santa Cruz and Boulder Creek.

There is no evidence before the Commission in this proceeding which would justify the granting of the desired application. Applicants have made no showing of any public convenience and necessity to be served, the proposed operation being seasonal and confined to the period between May 1st and October 1st of each year.

The Commission has repeatedly stated in its decisions on applications for certificates of public convenience and necessity that the desire of an applicant to enter the business of a common carrier of passengers by automobile is not controlling and does not indicate a sufficient showing that public convenience and necessity exists along a proposed route which would justify the granting of an application by this Commission. At the hearing on this matter there was no evidence presented other than the desire of applicants to enter the business and therefore the application must be denied.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by M. H. Waterman and Jack Kieth , partners in business, of an automobile stage line as a common carrier of passengers between Santa Cruz and California Redwood Park and,

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

Dated at San Francisco, California, this 25th day of September, 1920.

Edwin G. Edgerton
H. D. Loveland
Franco R. Oliveri
H. B. Brandige

Commissioners.