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Decision No. 8504

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 E. C. CRAIG, for a certificate of)
 public convenience and necessity to :
 operate passenger service between : Application No. 5960
 SANTA BARBARA and SANTA MARIA, in)
 SANTA BARBARA COUNTY, under the)
 name of CRAIG'S AUTO STAGES. :
)

J. W. Smith and W. B. Butcher, Jr. for applicant
 J. E. McCurdy for Pickwick Stages, N.D. Protestant
 W. J. Withrow for Southern Pacific Co. Protestant.

BY THE COMMISSION.

ORDER

E. C. CRAIG 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, express and baggage between Santa Barbara and Santa Maria and intermediate points, under the name of Craig's Auto Stages.

A public hearing on this application was conducted by Examiner Satterwhite on October 9th, 1920, at Santa Barbara, at which time the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with Exhibit "A" attached to said application and to operate on a schedule of two round trips daily using as equipment those certain automobiles described in Exhibit "C" attached to said application.

The Pickwick Stages, N. D. and the Southern Pacific Company opposed this application.

The applicant called several witnesses in support of his application. The testimony of these witnesses was confined almost wholly to the alleged inadequate and unsatisfactory service rendered by the Pickwick Stages between Los Olivos and Santa Barbara and intermediate points.

The Pickwick Stages operate a through and local auto stage service between Los Angeles and San Francisco and according to the schedule offered at the hearing its stages make five trips daily north from Santa Barbara and four trips daily south from Santa Maria covering the route proposed to be served by this applicant.

Nearly all of the witnesses who testified at the hearing reside in the Santa Ynez Valley, which is a large farming district with a population of over 1500 inhabitants consisting of the towns of Los Olivos, Solvang, Santa Ynez, Ballard and other small villages. It was shown that the people residing in this district have much trouble and difficulty in securing passage on the Pickwick Stages. The Pickwick Stages have never established offices or agencies in any of these towns for the accommodation of the public, and any one desiring passage is compelled to phone for reservations at an established office either at Buell's or some other point on the State Highway or to stand at the road-side and signal the stage as it comes along. On many occasions the stages are fully loaded and the passengers undergo many delays. Particular instances were testified to where passengers were delayed from several hours to a whole day before securing a seat. There was testimony to the effect that the Pickwick Stages are irregular in maintaining their published schedule through the towns of Los Olivos and Solvang.

The testimony of applicant's witnesses indicated that complaints had been made of frequent inability to secure passage on account of fully loaded stages. It appears that the people of the/
Santa Ynez

Valley desire to travel to Santa Barbara or way points and transact business and return the same day, but that the service of the Pickwick Stages has been so unsatisfactory that they desire this proposed local service. It was shown that a passenger desiring to travel from Santa Barbara to Los Olivos is usually compelled to make reservations in advance at the Pickwick offices in Santa Barbara in order to be sure of obtaining a seat.

The applicant introduced no testimony in reference to public necessity for any additional express service between the points proposed to be served.

The Pickwick Stages introduced testimony indicating the numbers of cars operated over the proposed service of applicant, fares charged and the time schedules on file with this Commission and also an exhibit showing the north bound and south bound traffic between Santa Barbara and Santa Maria from July 17 to September 17, 1920, inclusive. The testimony of this protestant indicated that during this period their stages on many occasions were full and at other times had vacant seats when leaving Santa Barbara or Santa Maria.

The Southern Pacific Company introduced in evidence its rate and time schedules which show that they operate two trains north and two trains south daily over a portion of the proposed route as far as Gaviota and connect with the Pacific Coast Railway at Guadalupe.

An auto stage line should give the same consideration to local traffic as it does to through traffic and whenever it appears that local traffic in a particular case is being neglected in favor of through traffic, this Commission will authorize the necessary relief.

After a careful consideration of the evidence in this case, we are of the opinion and find as a fact that public convenience and necessity will be served by the granting of a portion of this proposed service between Los Olivos and Santa Barbara and intermediate points.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by E. C. Craig of an automobile stage line as a common carrier of passengers and baggage between Los Olivos and Santa Barbara and intermediate points.

Provided, however, that the rights and privileges hereby granted may not be sold, transferred, leased nor assigned unless the written consent of the Railroad Commission to such sale, transfer, lease or assignment has first been secured.

IT IS HEREBY ORDERED that an acceptance of this certificate shall be filed with the Railroad Commission within ten days from the date of service of this order; such acceptance to specify the date upon which operation over the route herein authorized shall commence, such date of commencement of operation to be within thirty days from the date of service of this order, and unless such acceptance is filed and commencement of operation as specified therein is made, this order to stand void without further order of the Railroad Commission.

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

Dated at San Francisco, California, this 3^d day of January, 1928.

H. H. [Signature]
W. R. [Signature]
H. B. [Signature]
Commissioners.