

ORIGINAL

Decision No. 8923.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of )  
F. M. HALEY and P. B. MAHONEY, doing )  
business under the fictitious name )  
and style of COAST SCENIC AUTO STAGE )  
COMPANY, for a certificate of public )  
convenience and necessity to operate )  
passenger service as a transportation )  
company between San Francisco and )  
Pacific Grove and certain intermediate )  
points. )  
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Application No. 6354.

BY THE COMMISSION:

O P I N I O N

F. M. Haley and P. B. Mahoney, co-partners doing business under the fictitious name of Coast Scenic Auto 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 San Francisco and Pacific Grove, serving as intermediate points the communities at Mayfield, Cupertino, Saratoga, Los Gatos, Santa Cruz, Watsonville, Moss Landing, Castroville, Seaside, Del Monte, and Monterey.

Applicants propose a service of two round trips daily with two seven-passenger Packard automobiles, and allege that they are in position to furnish additional equipment if the demands of traffic should so require.

Applicants do not desire to transport local passengers between Los Gatos and Santa Cruz or between Santa Cruz and Watsonville.

133

Applicants rely as justification for the granting of this application upon the alleged facts that the operation of the Auto Transit Company, a corporation, between San Francisco and Santa Cruz is inadequate and unsatisfactory; that the facilities offered by the Southern Pacific Company between San Francisco and Santa Cruz are inadequate to meet the public needs and are therefore unsatisfactory; that applicants herein are the owners and operators of a stage line between Monterey and Santa Cruz and that there is a demand for through service from points south of Santa Cruz and from Santa Cruz to San Francisco, which demand, if this application is granted, will be served by the establishment of the stage line proposed by applicants.

The matters contained in this application are practically identical with those contained in application Number 5742 wherein the same applicants requested a certificate of public convenience and necessity between San Francisco and Pacific Grove and intermediate points. After a public hearing on Application Number 5742, the Railroad Commission issued its Decision Number 8050 (decided September 1, 1920) denying applicants the right to operate through service between San Francisco and Pacific Grove, but finding that public convenience and necessity required the operation of a line between Santa Cruz and Monterey serving as intermediates the communities at Watsonville, Moss Landing, Castroville, Seaside and Del Monte. A rehearing was requested by applicants on Application Number 5742 on September 30, 1920, and after due consideration was denied by the Commission on October 25, 1920, (Decision Number 8266.)

The records of the Commission show that a number of applications have been considered covering proposed operation between Oakland or San Francisco and Monterey Bay points, five applications having been heard and all denied account no.

showing having been made which would justify the Commission in granting the desired certificate. A full hearing was had on the sixth application, being Application Number 5742 filed by F. M. Haley and P. B. Mahoney, and this application was denied in part after full consideration by the Commission and also a rehearing was denied as hereinabove referred to.

We have carefully considered the matters presented in the application now before the Commission and find no new matters presented therein which indicate that the status of transportation conditions or the needs of the public proposed to be served have changed since the matter was heard on Application Number 5742. The records show that the existing transportation lines serving the district for which authority is sought are able to satisfactorily care for more business than they are at present enjoying and some of the existing lines have been unable to operate with any measure of profit or to return any interest on the capital invested. No new business would be developed by the establishment of the proposed line and, if such line were to be established, the present business between San Francisco and Pacific Grove would be divided and a portion of same diverted to applicants herein. At the present time the Commission has knowledge that the highway over the Santa Cruz mountains is closed to public travel due to construction work in progress thereon, and it is not anticipated that the highway will be reopened to public use prior to June 1st and possibly not until July 1, 1921. At the present time the existing lines serving Santa Cruz direct, one that of C. M. Blabon from Santa Cruz to San Jose, the other that of the Auto Transit Company from San Francisco to

Santa Cruz, are not operative on account of road conditions; the Commission having authorized the Blabon line to operate for through passengers only via a detour and having authorized the Auto Transit Company to suspend its operation pending the completion of the highway over the Santa Cruz mountains. Under all the circumstances, of which the Commission has knowledge, and in view of the fact that the verified application in this proceeding presents no new matters nor any new facts, other than those already fully considered by the Commission on Application Number 5742, as decided by Decision Number 8050, dated September 1, 1920, we are of the opinion that this is not a matter in which a public hearing should be held and that, in the interests of economy and conservation of the time of the Commission and that of competing transportation lines who would protest the granting of this application, the application should be denied.

#### O R D E R

F. M. Haley and P. B. Mahoney, co-partners doing business under the fictitious name of Coast Scenic Auto Stage Company, having applied for an order of this Commission declaring that public convenience and necessity requires the operation by them of an automobile stage line as a common carrier of passengers between San Francisco and Pacific Grove and certain intermediate points; the matter having been fully considered and the Commission being of the opinion that this is a matter in which a public hearing is not necessary and that for the reasons as set forth in the opinion preceding this order, the application should be denied.

IT IS HEREBY ORDERED, That this application be and the same hereby is denied,

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 31 day of <sup>May</sup>~~April~~, 1921.

H. S. Loveland  
H. K. Brundage  
Dwight Martin

Commissioners.