

ORIGINAL

Decision No. 8941

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 K. F. BEYERLE for certificate of)
 public convenience and necessity to :
 operate automobile stage service) Application No. 6488
 between Murrieta Hot Springs and)
 Warner's Springs and intermediate)
 points. :

K. F. Beyerle in propria persona
 S. W. Thompson for Pickwick Stages, Inc.,

BY THE COMMISSION,

O P I N I O N

K. F. Beyerle, operating under the fictitious name of Murrieta Hot Springs Auto Stage Line, 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, baggage and express between Murrieta Hot Springs and Warner's Hot Springs and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite on March 25, 1921, at Warner's Hot Springs at which time the matter was submitted and is now ready for decision.

Applicant proposes to charge rates and to operate on a time schedule in accordance with Exhibits "A" and "B" attached to said application, using as equipment one eleven-passenger White automobile and such other equipment as traffic requirements may justify.

The Pickwick Stages, Inc., and the United Stages, Inc., appeared in opposition to this application.

The evidence shows that the terminals mentioned in this application are well known resorts in Southern California which are visited throughout the year by a very large number of pleasure and health seekers. At the present time there is no auto stage service available for the general public or for the regular patrons of Warner's Hot Springs between the points to be served.

The Imperial Stages, which have been operating an auto stage line between Hemet and Brawley, by way of Warner's Hot Springs, under authority of this Commission, abandoned its service some time ago.

The owners of Warner's Hot Springs testified to the effect that at least a third of their patrons register from Los Angeles and vicinity and that the only auto stage transportation facilities at present available are by way of San Diego. The testimony shows that daily inquiries are made at the Union Stage Office in Los Angeles for transportation to Warner's Hot Springs and that there are many patrons at Murrietta Hot Springs who often request service to Warner's Hot Springs.

This proposed service will be an extension of the service of said applicant between Los Angeles and Murrietta Hot Springs.

The testimony shows that applicant has operated auto stage lines for a period of five years and has at all times given good and satisfactory service in all his operations.

The Pickwick Stages, Inc., based their protest upon the ground that their service would be paralleled between Murrietta Hot Springs and Temecula. The evidence shows that Temecula is an intermediate point with a small population on the proposed route and that the number of passengers destined to Temecula from Los Angeles is so negligible that little or no detriment

to the Pickwick Stages will be suffered.

The United Stages, Inc., as well as the Pickwick Stages, Inc., interposed a further protest on the ground that, if the proposed service is authorized, a combination by applicant with an auto stage service now proposed to be established between Warner's Hot Springs and points in the Imperial Valley will cause injurious competitive service with the present service of protestants between Los Angeles and points in the Imperial Valley by way of the ^{Coast and} Inland routes. Protestants offered no evidence at this hearing which would justify any recognition of or action upon said protests.

After a careful consideration of the evidence, we are of the opinion and find as a fact that public convenience and necessity require the operation of the said stage line.

O R D E R

A public hearing having been held in the above application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by K. F. BEVERLE, operating under the fictitious name of Murrietta Hot Springs Auto Stage Line, of an automobile stage line as a common carrier of passengers, baggage and express between Murrietta Hot Springs and Warner's Hot Springs and intermediate points,

Provided, however, that the operative rights and privileges hereby established may not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

IT IS HEREBY ORDERED that no vehicle may be operated in said service unless said vehicle is owned by the applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 6th day of May, 1921.

H. J. Loveland
H. B. Brundage
J. J. [unclear]
[unclear]

Commissioners