

OFFICE OF THE
RAILROAD COMMISSION

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ARTHUR J. GUNN for certificate of public convenience and necessity to transport cream between the town of Kelseyville and the town of Lakeport.

Application No. 6763.

In the Matter of the Application of ARTHUR J. GUNN for certificate of public convenience and necessity to operate passenger service between the town of Kelseyville, Lake County, State of California, and the town of Lakeport of the same County and State.

Application No. 6802.

In the Matter of the Application of FRED FISHER for an order granting permission to sell and transfer all his right, title and interest in auto stage line operating between Lakeport and Upper Lake to Lake County Automobile Transportation Company, and application of LAKE COUNTY AUTOMOBILE TRANSPORTATION COMPANY for an order granting permission to purchase said right, title and interest, and for permission to operate same thereafter.

Application No. 6816.

In the Matter of the Application of LAKE COUNTY AUTOMOBILE TRANSPORTATION COMPANY for certificate of public convenience and necessity to change route of stage from present route between Hopland and Lakeport via Highland Springs and Kelseyville, to new route over the Highway, which will change route so as to leave Kelseyville for Hopland via Lakeport and from Hopland to Kelseyville via Lakeport.

Application No. 6828.

In the Matter of the Application of LAKE COUNTY AUTOMOBILE TRANSPORTATION COMPANY for certificate of public convenience and necessity to operate automobile passenger service between Hopland and Adams Springs via Lakeport and Kelseyville over the new Highway, during resort season of each year only, and for permission to use either route to and from Kelseyville.

Application No. 6834.

In the Matter of the Application of
LAKE COUNTY AUTOMOBILE TRANSPORTATION
COMPANY for certificate of public con-
venience and necessity to operate
automobile passenger service between
Hopland and Seigler Springs via Lake-
port and Kelseyville over the new
Highway, during the resort season of
each year only, and for permission
to use either route to and from
Kelseyville.

)
Application No. 6835.

In the Matter of the Application of
LAKE COUNTY AUTOMOBILE TRANSPORTATION
COMPANY for certificate of public con-
venience and necessity to operate
automobile passenger service between
Lakeport and Highland Springs over
route as shown on map attached.

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Application No. 6845.

H. B. Churchill for Arthur J. Gunn.

H. V. Keeling for Lake County Automobile
Transportation Company, and for Fred
Fisher.

L. K. Fraser for Wm. Spiers' Calistoga &
Clear Lake Line.

C. E. Brown for San Francisco, Napa &
Calistoga Railway.

BY THE COMMISSION.

O P I N I O N

By the above Applications No. 6802 and No. 6763, Arthur
J. Gunn seeks authority to extend his present service between
Lakeport and Kelseyville, designed primarily to accommodate high
school students on five days a week during the school season and
the fruit cutting season, to year around service, seven days a
week, and to carry cream.

By Applications No. 6816, No. 6828, No. 6834, No. 6835,
and No. 6845, Lake County Automobile Transportation Company seeks
authority to change its route between Hopland and Lakeport to the
new State Highway via Glen Alpine, and to supply through service

between Hopland and Highland Springs, on its former route, and to Kelseyville, Adams Springs and Seigler Springs (the service to the latter two springs to be seasonal), and to operate between Lakeport and Upper Lake through transfer of operative rights of Fred Fisher, all service to be operated to connect with trains of the Northwestern Pacific Railroad Company at Hopland.

A public hearing upon all of the above matters was held before Examiner Westover at Lakeport.

The particular occasion for filing the applications is the establishment of a new State Highway between Lakeport and Hopland via Glen Alpine, thus abandoning the old route via Highland Springs, and a change in the management of the transportation company.

Mr. Gunn protests operation between Lakeport and Kelseyville, which would interfere with his present or proposed service; Mr. Spiers protests against operation between Lakeport and Adams Springs, both protests being on the ground that protestants are furnishing adequate service. The San Francisco, Napa & Calistoga Railway protests on the ground that its line, in connection with Monticello Steamship Company and Mr. Spiers' stage line, furnishes adequate service between San Francisco and Lake County points, and, in connection with Western Motor Transport Company through connection at Vallejo, extends such service to east bay points; and that the extension of the present route via Hopland to Adams Springs and Seigler Springs would divert a portion of its traffic to the Springs.

It appears from the testimony that the local traffic between Lakeport and Kelseyville, aside from school children and through passengers to or from the train connections at Hopland, amounts to only one or two passengers daily, and that Mr. Gunn is

willing to add a schedule to accommodate those having business at the county seat at Lakeport as soon as it appears that they require additional service. This would not be justified economically, as the through stages connecting with the trains at Hopland cover the route at convenient hours, permitting Kelceyville passengers to spend a few hours at Lakeport rather than being obliged to remain $7\frac{1}{2}$ hours under Mr. Gunn's schedule.

As to through travel to and from Lake County resorts, the present routes via the Napa Valley and via the Russian River Valley are widely separated by an intervening range of mountains and each route is justly famous for its scenic beauty. There appears to be no good reason why the travelling public should not have opportunity to make a through trip to destination, if desired, via either route. We suggest to present carriers the desirability of arranging joint tariffs and through routes, providing round trip rates, by which passengers could, if they desired, see both valleys and their beauties while travelling to and from the Lake County resorts. The route between bay points and the Springs, via Hopland, is about 40 miles longer than the route via Calistoga, and the proposed rate is naturally considerably higher, so that the two routes are not strictly competitive.

William Spiers for many years has operated passenger stages between Calistoga, the northern terminus of the Napa line, and Lakeport, serving Adams Springs and intermediate points en route and also serving Seigler Springs and points intermediate to Calistoga, but not operating directly between Seigler Springs and Lakeport. The testimony does not show the need of any additional local service between Lakeport and Adams Springs. It appears to be in the public interest that stage service should be provided between Hopland and the several Lake County points referred to, but with suitable provision to protect the present local service.

Mr. Gunn's schedule provides for leaving Kelseyville at 7:40 A.M., arriving at Lakeport at 8:30 A.M., returning after the school session, leaving Lakeport at 4:05 P.M. and arriving at Kelseyville at 4:40 P.M. This schedule appears to be a convenient one for the handling of cream, and he is prepared to handle it with his present equipment, picking it up along his present route, - by which he serves three intermediate points.

The transportation company's proposed through schedule provides for leaving Kelseyville at 10:20 A.M., arriving at Lakeport at 11:00 A.M.; leaving Lakeport at 1:45 P.M., and arriving at Kelseyville at 2:20 P.M. This, in connection with Mr. Gunn's enlarged service, will apparently amply supply the needs of the community. We will provide in the order that a through stage may carry through passengers between Lakeport and Kelseyville on the above schedule only, but may not serve intermediate points between the two towns served by Mr. Gunn. The transportation company operates the mail stage, leaving Kelseyville at 8:00 A.M., and arriving at Lakeport at 8:40 A.M., and returning one-half hour before its passenger stage. It is proposed to have the mail stage also carry passengers if desired, but this will not be permitted as the service is not needed and the north bound schedule approximates that of Mr. Gunn, and the south bound schedule that of the company's passenger stage.

It appears from the testimony that the transportation company is better able to serve between Lakeport and Upper Lake than is Mr. Fisher and that authorizing the transfer requested will be in the public interest.

ORDER

A public hearing having been held upon the several above described applications, the several matters being submitted and now

ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Arthur J. Gumm of passenger stages for the transportation of passengers and cream between Lakeport and Kelseyville, serving Kelsey Creek, Finley, and Berryman Corner as intermediate points; and that public convenience and necessity require the operation by Lake County Automobile Transportation Company of passenger stage service between Hopland, Lakeport, Upper Lake, Kelseyville, Highland Springs, Adams Springs and Seigler Springs; and between Kelseyville and Lakeport; all upon schedules connecting with trains of the Northwestern Pacific Railroad Company; operation between Kelseyville and Adams Springs and between Kelseyville and Seigler Springs to be only during the season April 15th to November 1st in each year; but public convenience and necessity do not require local or through service to or from Kelsey Creek, Finley or Berryman Corner, and they do not require local service between Lakeport and Adams Springs or any points intermediate thereto; and nothing herein contained shall be construed to authorize said transportation company to serve locally the points named as intermediate between Lakeport and Kelseyville, nor to serve locally between Lakeport and Adams Springs or any points intermediate thereto; nor to carry passengers upon its mail stages between Lakeport and Kelseyville, but it may carry passengers between Lakeport and Kelseyville only upon its through passenger stages, on schedules connecting with trains at Hopland, which said proposed schedules provide for leaving Kelseyville at 10:20 A.M., arriving at Lakeport at 11:00 A.M., and leaving Lakeport at 1:45 P.M., arriving at Kelseyville at 2:20 P.M.

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 Com-

mission thereto has first been procured.

No vehicle may be operated in said service unless said vehicle is owned by the applicants herein or is leased by said applicants under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that applicants shall, within twenty (20) days from the date hereof, file with the Railroad Commission their schedules and tariffs covering said proposed service, which shall be in addition to proposed schedules and tariffs accompanying the application, and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be within ninety (90) days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effective until and unless the above mentioned schedules and tariffs are filed within the time herein limited.

IT IS HEREBY FURTHER ORDERED that Fred Fisher be and he is hereby authorized and empowered to sell and transfer to Lake County Automobile Transportation Company his right and authority to operate automobile passenger stage line between Lakeport and Upper Lake, said rights being derived under Decision No. 7356 of April 3, 1920, upon Application No. 5457.

1. The amount paid for the purchase of said rights transferred shall not be considered as a measure of value thereof in any proceeding before this Commission.

2. Said transferor shall immediately cancel all tariffs and time schedules relating to said route with the Railroad Commission; and transferee shall immediately file tariffs and time schedules in its own name, or adopt as its own the tariff and time schedules relating to said route heretofore filed with the

Railroad Commission; but all fares to be identical with those now on file with the Commission. Such filing, cancellation or adoption shall be in conformity with the provisions of General Order No. 51 and other regulations of the Railroad Commission, which, so far as applicable, are made part hereof.

3. The rights and privileges hereby authorized to be transferred shall not again be sold, leased, transferred, or assigned, nor shall operation thereunder be discontinued without the previous written consent of the Railroad Commission.

4. No vehicle may be operated in the service hereinabove described unless such vehicle is owned by the owner of said operative rights, or is leased by such owner for a specified amount for a trip or a specific term. The leasing of equipment shall not include the services of a driver or operator. All employment of drivers or operators of leased cars shall be under contract by which the driver or operator shall bear the relation of an employee to the transportation company.

Dated at San Francisco, California, this 12th day of June, 1921.

H. W. Brandegee
H. W. Loveland
Livingston Martin

Commissioners.