

Decision No. 9256

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of PICKWICK STAGES, INC., for certificate of public convenience and necessity to operate passenger auto stage service between Escondido and San Diego, via Miramar.

Application No. 6833.

In the Matter of the Application of R. P. MCGARVIN and A. F. SPARKS for certificate of public convenience and necessity to operate passenger auto stage service between Poway Corners and San Diego, via Miramar.

Application No. 6859.

H. J. Bischoff for R. P. McGarvin and A. F. Sparks.

Warren E. Libby for Pickwick Stages, Inc.

W. R. Brannon for Liberty Bus Line.

BY THE COMMISSION.

O P I N I O N

Both Pickwick Stages, Inc., operating passenger stage service between San Diego and Escondido, and R. P. McGarvin and A. F. Sparks, operating passenger stage service between San Diego and Poway Corners, apply for authority to change their route so that the service will be given via Miramar.

A public hearing upon both matters was held by Examiner Westover at San Diego, at which it was stipulated that both might be consolidated for hearing and decision.

The occasion for filing the above applications is the fact that the highway used by both lines, known as Mission Road, is now improved in the vicinity of Miramar by recent paving so that it is of advantage to the applicants and the travelling public that they be permitted to use the paved highway rather than

continue to use the unpaved road for nine or ten miles lying about two miles easterly from the paved road. This involves abandonment of that portion of the present authorized route, but it appears from the testimony that there are no houses in the vicinity of the portion of the route proposed to be abandoned, and no passengers to be transported to or from that vicinity, while the change in route would give service to Miramar, to numerous laborers on the Scripps ranches, and to seven residences.

The only objection to the change of route proposed is offered by W. R. Brannon, owner of the Liberty Bus Line, serving between San Diego and Camp Kearny, and his only objection is that the applicants might, unless properly restricted, divert their stages from the highway in to Camp Kearny lying about one-half mile to the west. It was stipulated that no passengers would be picked up at Camp Kearny nor at points near the Camp off the highway.

O R D E R

A public hearing having been held on the above entitled applications, both matters being submitted and ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require Pickwick Stages, Inc. and R. P. McGarvin and A. F. Sparks, operating stages between Poway Corners and San Diego, to operate via Miramar along the paved highway known as Mission Road, but do not require or permit them to deviate from said highway nor to pick up or discharge passengers at Camp Kearny.

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.

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 ORDERED that applicants shall, within twenty 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 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.

Dated at San Francisco, California, this 23rd day of July, 1921.

H. D. Bowditch

H. D. Loveland

J. W. Martin

Commissioners.