

Decision No. 9548

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF ~~THE STATE OF CALIFORNIA~~

In the Matter of the Application of P. L. LOCKHART for certificate of public convenience and necessity to operate passenger automobile service between Dunsmuir, Siskiyou County, California, and Redding, Shasta County, California.

} Application No. 6907.

In the Matter of the Application of J. T. B. DAVIS and J. A. ROBINSON, co-partners as Davis & Robinson, for certificate of public convenience and necessity to operate a passenger auto stage line between Sisson and Redding and intermediate points.

} Application No. 6936.

- J. T. B. Davis for applicants in App. 6936.
- L. C. Smith for P. L. Lockhart in App. 6907.
- V. H. Norris for Norris Stage Line, App. 6907.
- C. E. Spear for Southern Pacific Company, protesting both applications.

BY THE COMMISSION.

O P I N I O N

By Application No. 6907, P. L. Lockhart seeks authority to operate automobile passenger service between Dunsmuir and Redding, via Delta, Baird and other intermediate points, all of which are served by the Southern Pacific Company, except Baird.

By Application No. 6936, J. T. B. Davis and J. A. Robinson, partners as Davis & Robinson, seek authority to operate an automobile passenger service between Sisson and Redding, serving Dunsmuir and intermediate points between Dunsmuir and Redding, but not serving Delta, Pollock or Baird, all of which Mr. Lockhart proposes to serve.

A public hearing upon both applications was held by Examiner Westover at Redding. Although they were heard separately they are discussed in one opinion because the proposed service is similar.

It appears from the testimony that Mr. J. T. B. Davis, one of the applicants, now operates a stage line between Sisson and McCloud, patronized principally by workers in the lumber industries in that territory. Sisson has a population of 600 or 700, with a box factory employing about 40, and a sash and door factory employing about 40, the saw mill being shut down. McCloud has a population of about 1800, with a box factory, sash and door factory, lath factory, and two large saw mills. There are about 250 to 300 men in the woods east of McCloud and more when the industry is being operated to full capacity. The Pacific Gas & Electric Company maintains large camps near Fall River Mills in connection with its Pitt River project, at which there are about 2000 men employed in construction work.

Mr. Davis testified that he has handled about 600 passengers per month since May 1, 1921; that last year the labor turnover was greater, and that he handled about a third more passengers. The passengers from his line are largely destined southward to the employment agencies at Redding, Sacramento and San Francisco, and those northbound largely to Weed, a lumber center about ten miles north of Sisson, and to Portland and intermediate points. He says that many of his passengers ask for transportation southbound to the points referred to.

The proposed route between Sisson and Redding is via the State Highway, which, generally speaking, follows the Southern Pacific Railroad through the Sacramento river canyon. Between Redding and Antler, however, the highway lies several miles to the east of the railroad and passes through Baird. At La Moine on the rail-

road and highway, there is a logging camp, saw mill and box factory, the lumber industry at this point employing possibly 200 to 250 men. At Nutglade, just south of Dunsmuir, there is a logging camp employing some 25 or 30 men, and at Hazel Creek (railroad name Sims) there is a mill normally employing about 50 men, not running at present, but expected to run in the spring. Beside the industries referred to, there are small resort hotels through the canyon and at Hazel Creek, Castle Crag, Castle Rock, Castella and Delta, patronized largely by hunters and fishermen, with some considerable patronage during the winter season. Between Redding and Baird, the testimony shows that there are about 25 families, principally engaged in ranching.

The Southern Pacific Company now operates three local trains per day, round trip between Redding and Dunsmuir, two of which serve Sisson as well. These trains northbound make the trip from Redding to Sisson in about  $4\frac{1}{2}$  to 5 hours, and southbound, down grade, in about  $4\frac{1}{4}$  to  $4\frac{1}{2}$  hours. On one of these schedules, the northbound train reaches Sisson at 1:24 A.M., and southbound leaves at 4:14 A.M., very inconvenient hours.

The proposed schedule of the Davis & Robinson stage is four hours, and the fares are about the same as the railroad fares.

Between Redding and Dunsmuir, the train schedules northbound require about  $3\frac{1}{2}$  hours, and southbound about  $3\frac{1}{2}$  hours, while the proposed schedules of Mr. Lockhart's stage, two round trips per day, would require about  $3\frac{1}{2}$  hours in each direction, but Mr. Lockhart's proposed fares are materially higher than the railroad fares.

The proposed schedule of Davis & Robinson is designed for operation in connection with the present Sisson-McCloud line operated by Mr. Davis. It is designed to enable the men coming out of the woods or mills to get their pay checks from the office of the lumber company, opening at 8:00 A.M., cash them at the bank, open-

ing at 8:30 A.M., adjust their affairs, and leave on the 9:30 A.M. stage out of McCloud, connecting with the proposed stage line south from Sisson at 10:15 A.M., arriving at Redding at 2:15 P.M. After investigating the employment situation at Redding, they could proceed south by train at 8:05 P.M. or 8:30 A.M., or north by train at 5:28 P.M. as far as Dunsmuir, or by/train <sup>through</sup> at 8:48 P.M. or 7:44 A.M. While there was some testimony to the effect that Southern Pacific trains are crowded on special occasions, and in specific instances did not stop when flagged by prospective passengers, it is apparent that the company is able to provide adequate equipment and to arrange for proper stops at flag stations when flagged in the proper manner and in ample time. In the matter of schedules, however, it appears that one additional schedule at the time proposed by Messrs. Davis & Robinson, principally for the accommodation of workers moving to and from the lumbering industries described would meet a public need. However, this stage service should be provided for all points along the highway and the order will so provide.

Mr. V. H. Norris now operates passenger stage service between Dunsmuir and Sisson, which applicants stated is sufficient and should be protected. They, therefore, do not seek authority to carry local passengers between these points, and the order will exclude such local service from the authority.

#### ORDER

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

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require J. T. B. Davis and J. A. Robinson, partners as Davis & Robinson, to operate automobile passenger stage service between Sisson and Redding, serving as intermediate points Baird, Pollock, Delta, La Moine, Hazel Creek (or Sims), Castella,

and Dunsmuir (for southbound passengers only); but such public convenience and necessity do not require, and it is hereby expressly provided, that said Davis & Robinson shall not carry local passengers between Sisson and Dunsmuir or any points intermediate thereto.

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 fifteen 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 schedule and tariff 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 thirty 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 application of P. L. Lockhart, No. 6907, be and it is hereby denied.

Dated at San Francisco, California, this 23<sup>d</sup> day of September, 1921.

H. J. Loveland  
James M. ...  
Charles ...  
Commissioners.