

Decision No. ~~1274~~ 9804

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
HERSCHEL P. GORDON, doing business
under the fictitious name and style
of Madera-Friant Stage Company, for
a certificate of public convenience
and necessity to operate auto stage
service between Madera and Friant.

Application No. 7124.

Fee & Ring, by W. C. Ring, Jr., for Applicant.
Roy T. Ames for Ames & Leonard.
K. F. Beyerle in propria persona.
H. W. Kidd and Rex Hardy for J. K. Hawkins,
M. Anderson, Keystone Express, and T. K.
Vance.
Harry N. Blair for Chino Express and Hodge
Transportation System.
E. T. Lucey for Atchison, Topeka & Santa Fe
Railway Company.
R. C. Gortner and T. J. Day for Pacific
Electric Railway Company.

BY THE COMMISSION.

OPINION

A public hearing was held by Examiner Westover at Fresno upon the above application for authority to operate a passenger, baggage and express service between Madera and Friant, one round trip daily, with a ^{second} daily schedule provided the additional service is needed. The application also requests authority to use an alternative route during those portions of the winter season when the usual route is impassable because of weather and road conditions.

At the hearing, applicant expressed willingness to have express service limited to packages of 25 pounds or less, to be transported only to or from ranchers along the road or to or from the proposed damsite about 3400 feet beyond Friant, this proposed

limitation being by reason of the present express service over the rail lines of the Southern Pacific Company. It appears from the applicant's testimony that there is at present no direct service between Madera and Friant, the only service being by rail by Southern Pacific Company via Fresno.

It appears that the occasion for filing the application is the proposed construction of a large irrigation system by Madera Irrigation District, with a dam to be located approximately 3400 feet beyond the Southern Pacific Friant terminal. The exact location of the dam has not been determined, owing to the pendency of litigation in the Superior Court, involving the condemnation of certain water rights. Estimates by witnesses as to the time when work upon the dam will begin vary from "next Spring" to July, 1922. There was testimony to the effect that the district officers have stated that unless the camp for the workers is completed by March 31st it will be necessary to delay the work nine months. It also appears that no decision has yet been reached as to whether the work will be done by the district or done under contract, and it further appears that a determination upon this point may affect the route of travel to be used by the labor which will build the dam and canals. The testimony of one of the Fresno employment agents with ten years' experience is to the effect that the labor required, which is estimated as between 600 and 2000 men, will probably have to be procured principally at bay points, Los Angeles and Sacramento; that contracts of employment are made at points where the labor is found, travelling expenses advanced and the men routed by the employers or agencies; that usually rail transportation is considered preferable, as the men receive better protection from the weather, arrive in better condition and have ample accommodation for their blankets and baggage. However, the headquarters of the district is located at

Friant and the application is based upon the theory that men would have to come to Friant to secure employment. The testimony of the agent referred to is to the effect that usually only about 5% of the labor comes directly to the job, the other 95% being procured and contracted for in the labor centers.

It does not appear that there is a present public need of the service offered.

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 do not require the operation by Herschel P. Gordon of automotive transportation for the carriage of passengers, baggage or express between Madera and Friant or the proposed dam-site near Friant.

IT IS HEREBY ORDERED that the application be and it is hereby denied.

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

H. C. Brundage
Dwight Martin
Charles F. Jones
J. H. ...
Commissioners.