

Decision No. 28151.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC GREYHOUND LINES, INC., a
corporation, to abandon its opera-
tive rights and route between Lower
Lake and Upper Lake via Lucerne.

Application No. 18834.

ORIGINAL

In the Matter of the Application of
PACIFIC GREYHOUND LINES, INC., a
corporation, to sell and C. L. AUS-
TIN to purchase certain operative
rights for the transportation of
passengers, baggage and express be-
tween Lower Lake and Austin's Resort.

Application No. 18930.

In the Matter of the Application of
PACIFIC GREYHOUND LINES, INC., a
corporation, to sell and J. E. JONES
to purchase certain operative rights
for the transportation of passengers,
baggage and express between Upper
Lake and Lucerne.

Application No. 18931.

H. C. Lucas and T. Finkbohmer, for applicants
Pacific Greyhound Lines, Inc., and C. L. Austin.

J. E. Jones, in propria persona.

BY THE COMMISSION:

O P I N I O N

By stipulation these three applications were consolidated
and will be disposed of upon the one record.

In Application 18834 the Pacific Greyhound Lines, Inc.,
originally requested authority to abandon its operative right and
route covering the transportation of passengers, baggage and ex-

press between Lower Lake and Upper Lake via Lucerne and to cancel all tariffs and time schedules affecting such operations. At the hearing the application was amended in substance to seek only the abandonment of the line between Lucerne and Austin's Resort, provided the Commission took favorable action on Applications Nos. 18930 and 18931.

Application 18930 is a request by the Pacific Greyhound Lines, Inc., to sell, and C. L. Austin to purchase the operative rights for the transportation of passengers, baggage and express between Lower Lake and Austin's Resort.

Application 18931 is a request by the Pacific Greyhound Lines, Inc., to sell, and J. E. Jones to purchase operative rights for the transportation of passengers, baggage and express between Upper Lake and Lucerne.

A public hearing was held on July 6, 1933, before Examiner Geary at Lucerne, and the matters submitted.

The operative rights involved in the instant proceedings between Lower Lake and Upper Lake via Lucerne were granted by our Decision No. 23244, December 31, 1930, in Application No. 16989. The territory being purely a vacation district, the services were subjected to seasonal operations covering the period from approximately May 15 to September 15 of each year. The public has failed to respond to the services offered, and during the summer season of 1932, May 27 to September 11 inclusive, 108 days, there was carried a total of but 457 passengers on 216 trips. The total revenue was \$263.25, an average of 3.2 cents per mile, while the out-of-pocket operating expenses for the same period were \$1,025.18, or an average of 12.5 cents per mile, resulting in a loss of over \$700 for this season. At one time the Pacific Greyhound secured additional revenue by reason of contracts for the transportation

of the United States mail and of school children, which contracts have been abrogated. Since applicant lost the revenue from the United States mail and the school children it has been impossible to conduct the services without substantial losses being incurred each season.

The record shows that C. L. Austin (Application 18930) conducts a vacation place known as Austin's Resort and that he is financially able to perform a satisfactory service in connection with his resort activities. Because of the meager travel between Lower Lake and Austin's Resort, independent operations could not be maintained by outside parties.

J. E. Jones (Application 18931), who desires to secure the rights between Upper Lake and Lucerne, is at the present time transporting the United States mail and the school children under contracts between these points. He has proper equipment, and any small revenue received for the transportation of passengers and express will be in the public interest and make possible a continuation of the services which the Pacific Greyhound desires to abandon.

Attached to the applications are copies of the contracts entered into between the parties. These show a consideration of one dollar and involve the transfer of no physical properties. There were no objections to the applications being granted.

We are of the opinion that these applications should be granted, and a proper order will be made.

O R D E R

These proceedings having been duly heard and submitted,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted:

1. To the Pacific Greyhound Lines, Inc. (Application 18834) to discontinue and abandon all motor stage services for the transportation of passengers, baggage and express between Lucerne and Austin's Resort as described in the application.
2. To the Pacific Greyhound Lines, Inc. (Application 18930) to sell and transfer to C. L. Austin the operative rights for the transportation of passengers, baggage and express between Lower Lake and Austin's Resort as described in the application.
3. To the Pacific Greyhound Lines, Inc. (Application 18931) to sell and transfer to J. E. Jones the operative rights for the transportation of passengers, baggage and express between Upper Lake and Lucerne as described in the application.

The authority herein granted is subject to the following conditions:

- (a) Pacific Greyhound Lines, Inc., C. L. Austin and J. E. Jones shall join in a common supplement to the tariff now on file with the Railroad Commission in the name of Pacific Greyhound Lines, Inc., applicant Pacific Greyhound Lines, Inc. on the one hand withdrawing and applicants C. L. Austin and J. E. Jones on the other hand adopting as their own the fares, rates, rules and regulations now in effect.
- (b) The rights and privileges herein authorized to be transferred may not be discontinued, sold, leased nor assigned hereafter, unless the written consent of the Railroad Commission to such action has first been secured.
- (c) The authority herein granted will become effective fifteen (15) days from the date hereof.

Dated at San Francisco, California, this 17th day of July, 1933.

CC Scammy
Leon A. Whelan
W. B. L.
McDonough
Commissioners.