

Decision No. 27766.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation on)
the Commission's own motion into the)
rates, rules, regulations, charges,)
classifications, practices, contracts,)
operations and schedules, or any of)
them, of GUY S. ALEXANDER and L. B.)
LARSON, co-partners, operating as)
HIGH SIERRAS MOTOR TRANSPORT COMPANY,)
WESTERN TRUCK LINES, LTD., M. C. YAHNE,)
operating as INLAND STAGES, and L.N.)
and H. G. ANDERSON, co-partners, oper-)
ating services between points in the)
State of California.)

ORIGINAL

Case No. 3860.

In the Matter of the Application of)
U. G. SMITH and I. S. NEWLAN, co-)
partners, doing business under the)
firm name and style of SMITH AUTOMO-)
BILE COMPANY, for them to sell, and)
WESTERN TRUCK LINES, LTD., a corpora-)
tion, to purchase the operative rights)
and equipment for the automotive trans-)
portation of freight between Bishop)
and Mammoth, California, granted under)
Decision No. 12468 of the Railroad)
Commission of the State of California,)
and extensions thereof between Mam-)
moth and Crystal Craig and Tamarack)
Lodge, granted under Decision No. 16996,)
and extensions thereof between Mammoth)
and June Lake and Silver Lake, granted)
under Decision No. 17981.)

Application No. 19339.

Owen C. Emery, for Western Truck Lines, Ltd.,
and Inland Stages.

Richard T. Eddy, for Alexander & Larson.

L. N. Anderson, for Anderson Brothers.

BY THE COMMISSION:

O P I N I O N

The above entitled proceeding (Case No. 3860) was insti-
tuted by the Commission to review the operations and the operative

rights of the automotive services now maintained under proper certificate between Los Angeles, Bishop, Bridgeport and the California-Nevada state line northeast of Coleville (and incidentally continuing service to Reno, Nevada). The review was made necessary by reason of the broken services of all operators, conflict by and complaint between them and a service for the public that appeared to be conducted without regard for the prime purpose of convenience and necessity.

Public hearings were conducted by Examiner Gorman at Bishop and the matter was duly submitted.

Four services exist. One is a passenger and freight service between Reno and Farrington's, via Bridgeport, conducted by Anderson Brothers. This transportation service, first by horsedrawn vehicles and then by automotive equipment, has been operated by the Anderson family for over fifty years. Even now, in winter, the automobile at times must give way to the horse and the sled.

Another automotive service is that originated twenty years ago by U. G. Smith and serving north from Bishop to Mono Lake (and by horse before that), and now a part of the newer service of Western Truck Lines, Inc., operating between Los Angeles and Bishop via Mojave, and the subject of Application No. 19339, consolidated with this proceeding seeking consolidation.

A third service is that of Alexander and Larson, created by grant to George W. Wilkins in 1923, for passengers, baggage and express between Bishop and Mono Lake, based, at its inception, on connection with Southern Pacific rail service to Laws, a station three miles east of Bishop.

The fourth service is a through service - Inland Stages - between Reno, Nevada, and Los Angeles for passengers, baggage and express and in its operation covering all the routes of the other carriers.

An objective of all this service is the resort region in the high Sierras between Bridgeport and Bishop, a region long isolated because of difficult mountain roads, mean at best and formerly visited only at great expense and time. Gradually, the construction of paved highways over easily traveled grades has changed the whole picture. The mountain resorts now have been improved, new ones have been established - the City of Los Angeles has established a playground at Mammoth - and the entire area has been improved to the point where it is attractive to thousands each season between June 1st and October 1st. Transportation facilities to and from the region, according to the record herein, have not been fitted into the need of the public in the matter of quiet through journeys and rapid delivery of the necessary subsistence. Because of this transportation lack, resort owners have provided for themselves and have utilized the highway extensions and improvements for their own convenience. It is clear that through service could have been furnished by public carriers as well as, and cheaper than, by private operations. The impediment to effective transportation appears largely to have been due to the lack of through service for both persons and property. The rights overlapped and none appears to be in a position to render complete coherent service.

To illustrate: A passenger at Los Angeles or any point south of Bishop reaches Bishop late in the afternoon (5 o'clock or later), after an all-day journey,¹ most of which is through hot desert regions. An overnight stop at Bishop is necessary to continue the journey to the particular resort sought. The same is true of passengers from the north arriving at Mono Lake, either via Tioga Pass or direct from Lake Tahoe or Reno. The services from north and south connect with a service between Bishop and Mono Lake,

1 The distance between Los Angeles and Bishop is 283 miles.

conducted by Alexander and Larson, who perform local service for passengers and express.

At the hearing the Commission called nine witnesses in order to gain knowledge of the attitude of those for whom an improvement in service is most important. They were Thomas H. McKee, proprietor of Cherokee Lodge, at June Lake, and Gull Lake Lodge; J. D. Brusstar, General Superintendent, Interstate Telephone and Telegraph Company at Bishop; Crawford Peek, Manager of the Los Angeles Municipal Camp at Mammoth; Lloyd E. Austin, proprietor of Tamarack Lodge; Barney Johnson, proprietor of Crystal Craggs Lodge, Mammoth (who also represented Lloyd Summers, Mammoth, and J. J. Grewell of the Lake Mary store); R. W. Kelso, wholesale grocery, Bishop; Robert Schuck, bakery, Bishop, and A. V. Boyer, Railway Express Agency representative at Bishop.

The testimony of these witnesses presented a fair cross-section of the transportation conditions between Bishop and Mono Lake. Shippers at Bishop found the local service between the points (Alexander & Larson), fairly satisfactory; resort owners found a lack of convenient through service to points of contact with their establishments. As all the operators were present during this testimony, the hearing was adjourned and the carriers requested to discuss it with each other and advise the Commission the following morning as to possible alterations in service. The conference resulted in no agreement among the carriers for changes in service, voluntarily, that would meet the expressed need of through service for both passengers and property. Separately, however, three indicated a readiness to abide by any orders the Commission might evolve. Alexander and Larson, however, did not so indicate. Accordingly, the hearings continued on the operating conditions and ten additional witnesses were heard before submission was made.

It is unnecessary to review the testimony in detail. A large portion concerned controversies between operators; however, there appears a distinct showing that the four services now are failing to provide that which the traveling and tourist classes need - a one-method trip from distances to this playground region. Such service may be provided with only a slight modification of the present facilities - by extending Anderson Brothers' service between Mono Lake and June Lake Junction to connect with Western Truck Lines at that point and by authorizing through property facilities between Reno and Los Angeles; by permitting Inland Stages to acquire the California passenger and express rights of Anderson Brothers (for which application is now pending), and consolidating with its own between Reno and Los Angeles; and by leaving Alexander and Larson undisturbed as the local passenger and express carrier between Bishop and Mono Lake.

Practically no consideration may be given to the rail operations to Bishop because, north of Lone Pine to Bishop (Laws), there is only one service each week, via the narrow gauge road. The route between Lone Pine and Minden, Nevada (the other terminus of rail service), is monopolized by automotive transportation.

O R D E R

The above entitled case having been submitted after public hearings and after briefs have been duly filed therein, and the Commission being fully advised,

The Railroad Commission of the State of California Hereby Declares that public convenience and necessity require the amendment and/or alteration of the certificates hereinafter set forth, for the public interest in safe, rapid and dependable transportation over the public highways of the State of California by automotive equipment, as follows:

IT IS HEREBY ORDERED that Decision No. 22576, dated June 24th, 1930, on Application No. 16565, be and the same hereby is amended and altered to provide that applicants therein, L. N. Anderson and H. G. Anderson, co-partners, may transport property which they are now authorized to transport from Leevining to June Lake Junction, said transportation to be solely for the purpose of effecting junction with the property transportation service of Western Truck Lines, Inc. and with the right and authority to transfer at said June Lake Junction, shipments each to the other, such shipments being to points on the lines of either carrier; and, further, authority is hereby granted for applicants to join in establishing through rates between termini and all intermediate points, as heretofore authorized; said order in said Decision No. 22576 to remain unamended and unaltered in any particular other than as herein provided.

IT IS HEREBY FURTHER ORDERED that Decision No. 26995, dated April 30th, 1934, on Application No. 19339, be and the same hereby is amended and altered to provide that applicant therein, Western Truck Lines, Ltd. may effect junction with the automotive property transportation service of L. N. and H. G. Anderson, co-partners, at June Lake Junction, with the right and authority to transfer, at said June Lake Junction, shipments, each to the other, such shipments being to points on the lines of either carrier; and, further, authority is hereby granted for applicant, Western Truck Lines, Inc., to join with said L.N. and H.G. Anderson in establishing through rates between all termini and intermediate points and as shown in Exhibit "A," attached to Supplemental Application No. 19339, and as heretofore authorized, said Decision No. 26995 to remain, in all other respects, unamended and unaltered.

IT IS HEREBY FURTHER ORDERED that Application No. 19339 (supplemental), for consolidation of the rights transferred by

U. G. Smith and I. S. Newlan to Western Truck Lines, Ltd. by Decision No. 26995, in Application No. 19339 (original), be and the same hereby is granted and the rights so transferred are hereby ordered consolidated with those of Western Truck Lines, Ltd. as granted by Decision No. 21195, dated June 10th, 1929, on Application No. 14544, for unified service between termini and all intermediate points; subject to the following conditions:

- (1) Respondents, Anderson Brothers and Western Truck Lines, Ltd., shall file their written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
- (2) Respondents, Anderson Brothers and Western Truck Lines, Ltd., shall file, in triplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than ten days' notice to the Commission and the public, a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in the exhibit attached to the supplemental application, in so far as they conform to the certificate herein granted, or rates satisfactory to the Railroad Commission.
- (3) Respondents, Anderson Brothers and Western Truck Lines, Ltd., shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than five days' notice to the Commission and the public, time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.
- (4) The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
- (5) No vehicle may be operated by respondents herein unless such vehicle is owned by said

respondents or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that in all other respects, except as herein provided, Case No. 3860 be and the same hereby is dismissed.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 25th day of February, 1935.

Leon Whitney

W. A. Carr

W. B. Harris

W. H. [unclear]

Frank [unclear]

Commissioners.