

Decision No. 31561

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of D. MOYERS) Supplemental
to establish seasonal service between Fresno,) Application
Friant, Northfork and The Pines.) No. 20397

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 28862, dated June 8, 1936, on Application No. 20397, D. Moyers, applicant herein, was granted a certificate of public convenience and necessity for the transportation of passengers, baggage and express between Fresno and The Pines, via Friant and Northfork and intermediate points, over and along the main highway, as well as between other points over different routes not involved herein.

In this supplemental application Moyers requests authority to restrict the service between Fresno and The Pines via Friant and Northfork to a seasonal basis between the approximate dates of May 15 and September 15 of each calendar year, instead of the continuous service presently maintained, provided that during the remainder of the year service shall be resumed when traffic demands warrant.

As justification for the authority sought, applicant alleges that prior to July 1, 1938, he was the holder of a star route contract for the transportation of the United States mails between Fresno and Northfork, which contract was awarded to another person effective July 1, 1938, and that, inasmuch as the passenger and express revenue derived from this operation is insufficient to pay the expenses thereof, applicant is no longer able to provide a passenger and express service during the winter months.

Applicant further alleges, as indicated by Exhibit "A" attached to the supplemental application, that during the period July, 1937, to June, 1938, both months inclusive, his total revenue from the transportation of passengers and express was \$228.70.

The revenue for the transportation of United States mail was \$2897.22, making a total revenue from all sources of \$3125.98; that the total expense of operation for the same period of time amounted to \$3392.80. The net loss therefrom appears to be \$266.82. Exhibit "A" further shows that applicant operated 40,308 miles. The number of pieces of equipment and the number of trips is not indicated. Without the mail contract applicant would have had a net loss during the period in question of \$3164.10. From Exhibit "A" it further appears that the total passenger and express revenue for the months of July and August of 1937 and May and June of 1938, the approximate period of the proposed seasonal operation, amounted to only \$133.35, while the total expense for the same months was \$1156.94, resulting in a net loss, exclusive of the mail, during said months of \$1023.59

With the loss of applicant's mail contract, and all other factors being equal, it appears that the wisdom of continuing the operation is questionable. A restriction on the operative right, limiting the service to the four summer months from May 15 to September 15, apparently will not transmute the operating loss to a profit. It will, however, based upon applicant's allegations, reduce the annual loss. It is not shown that such loss will result in an impairment of the service provided by applicant between other points now served. If such impairment occurs, applicant should request authority to abandon the operation involved herein.

This does not appear to be a matter requiring a public hearing and the authority requested will be granted.

O R D E R

IT IS ORDERED that D. Moyers is hereby authorized to reduce the passenger stage service between Fresno and The Pines and intermediate points via Northfork to a seasonal service to be operated between the approximate dates of May 15 and September 15

of each calendar year, provided that during the remainder of the year service shall be resumed when traffic demands so warrant or upon the further order of the Commission, subject to the condition:

Applicant 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 Railroad Commission and the public, a time schedule or time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 12th day of

December, 1938.

Robert W. ...
Leon Whetzel
Frank ...
Carl ...
...
COMMISSIONERS