

ORIGINAL

Decision No. 31025

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of MOTHER LODE TOURS, a corporation, for a certificate of public convenience and necessity to operate a passenger and baggage service from San Francisco as the point of origin and San Francisco as the point of destination via Sacramento, Auburn, Placerville, Sonora and intermediate points.

Supplemental Application No. 20445

BY THE COMMISSION:

SUPPLEMENTAL OPINION

The Commission by its Decision No. 31023, dated June 27, 1938 authorized applicant, Mother Lode Tours, a corporation, to acquire from Norman H. Robotham a sight-seeing operative right theretofore created by Decision No. 30205, dated October 4, 1937, on Application No. 20445, having San Francisco as a point of origin and destination, thence over a route via Sacramento, Auburn, Placerville, Plymouth, Angels Camp, Sonora and Stockton, with certain diversions, and subject to certain restrictions.

In this supplemental application, authority is sought to abandon that portion of the route between Sacramento and a point about three miles south of Plymouth via Auburn, Coloma and Placerville, and substituting in lieu thereof a route between Sacramento and a point three miles south of Plymouth over and along state route No. 16 via Perkins, Slough House and Michigan Bar.

In support of the authority sought, applicant alleges that it has been conducting a three day tour over its present route which has proved unprofitable, and that its operations can be made profitable by the establishment of a two day tour over the proposed new

routing which will enable it to curtail the expenses of the present three day tour. The proposed new route is approximately 55 miles shorter than the present route. Applicant further alleges that during certain seasons of the year the road between Oakdale and Stockton is inundated and made impassable and to prevent any delay or interruption of service, applicant requests authority to use an alternate route between Oakdale and Stockton via Manteca.

Applicant further proposes to establish a full fare of \$15 to which is added the amount of \$6 for meals and other expenses incidental to the tour. Children will be transported at a fare of \$10. Applicant does not propose to operate the tour unless a minimum of three full fare tickets has been sold.

This does not appear to be a matter in which a public hearing is necessary and the application will be granted by amending the declaration of the order of Decision No. 30205, dated October 4, 1937.

SUPPLEMENTAL ORDER

IT IS ORDERED that the declaration as set forth in the order of Decision No. 30205, dated October 4, 1937, is hereby amended to read as follows:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity requires the establishment and operation by Norman H. Robotham, an individual, of an automotive sight-seeing service as a common carrier of passengers and their baggage from San Francisco, as the point of origin, to San Francisco, as the point of destination via Sacramento, Perkins, Slough House, Michigan Bar, Sutter Creek, Angels Camp, Sonora, Knights Ferry, Oakdale, Manteca, and Stockton with optional side trips from Sutter Creek to Jackson via Volcano; Angels Camp to Calaveras Big Trees via Murphys and Moaning Caves; Sonora to Jamestown via Sawmill Flat, Columbia and Shaw's Flat, subject to the restrictions that:

IT IS FURTHER ORDERED that Decision No. 30205 is hereby further amended by the addition thereto of the following condition at sheet No. 5:

6. Any trip may be cancelled unless a minimum of three (3) full fare tickets has been sold.

IT IS FURTHER ORDERED that Decision No. 30205 shall in all respects except as herein amended remain in full force and effect.

The authority herein granted is subject to the following conditions:

1. Applicant shall file a written acceptance of the authority herein granted within a period of not to exceed fifteen (15) days from date hereof.
2. Applicant shall commence the service herein authorized within a period of not to exceed thirty (30) days from the effective date hereof, and shall file in triplicate, and concurrently make effective on not less than five (5) days' notice to the Railroad 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 authority herein granted, or rates and rules satisfactory to the Railroad Commission.
3. 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.
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 obtained.
5. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

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

Dated at San Francisco, California, this 18<sup>th</sup> day of  
April, 1939.

Robert W. ...  
Frank ...  
Carl ...  
M. ...  
Justin J. ...  
COMMISSIONERS