

Decision No. 32147

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of PEERLESS)
STAGES, INC., a corporation, for authority to) Application No. 23476
abandon its operation via the old Santa Cruz)
highway between Lexington and Felton Road.)

BY THE COMMISSION:

ORIGINAL

OPINION AND ORDER

Applicant Peerless Stages, Inc., a corporation, is now engaged in the transportation of passengers and express between Los Gatos and Santa Cruz and intermediate points, via Lexington and Felton Road, as well as between other points not involved herein.

In the above-entitled application applicant requests an order of the Commission authorizing it to establish its operations between Lexington and Felton Road, via Alma and Glenwood, over the newly realigned Santa Cruz Mountain Highway, via Lexington and Vine Hill City, in lieu of its present operations over the old Santa Cruz Highway between Lexington and Felton Road, via Alma and Glenwood, as authorized by Decision No. 21897, on Application No. 15737, and modified by Decision No. 27451, on Application No. 19638, and Decision No. 32120, on Application No. 22800. Applicant has heretofore been authorized to use portions of said newly realigned Santa Cruz Mountain Highway as an alternate route.

As justification for the authority sought, applicant avers substantially as follows:

(1) The old Santa Cruz Highway route via Alma and Glenwood is and for some time past has been unsafe for passenger stage operation.

(2) The newly realigned highway is approximately three miles shorter in distance and wider than the old highway. There are approximately 240 less curves and the

minimum radius of the curves on the new highway is 500 feet, as compared to 75 feet on the old road, thus affording a safer and faster trip to the travelling public.

(3) No inconvenience to the travelling public will result by use of the new highway, as most of applicant's patrons will be better served along such highway. Points on the old route, for the most part, will be readily accessible from the new highway as it is located but a short distance from the old route.

Applicant also proposes to simplify its fare structure between Los Gatos and Santa Cruz and to establish fare points on the new highway comparable to points and fares on the old highway route as set forth in Exhibit No. "B," attached to the application herein.

Applicant's present operative right between Los Gatos and Santa Cruz was created by Decision No. 21897, dated December 13, 1929, on Application No. 15787. That portion of applicant's route between Lexington and Felton Road has been modified by Decisions Nos. 27451, and 32120. It will, therefore, be appropriate to modify the route created by Decision No. 21897 and revoke the authority for reroutings provided for in Decisions Nos. 27451 and 32120.

This is a matter in which a public hearing is not necessary. We are of the opinion that the authority sought is in the public interest and it will be granted.

Good cause appearing,

IT IS ORDERED that Peerless Stages, Inc. in its operations between Los Gatos and Santa Cruz and intermediate points shall use the newly realigned Santa Cruz Mountain Highway between Lexington and Felton Road, via Redwood Estates and Vine Hill City, in lieu of

the route established by Decision No. 21697 (Application No. 15787) as modified by Decisions Nos. 27451 (Application No. 19638) and 32120 (Application No. 22800).

IT IS FURTHER ORDERED that said Decision No. 27451, on Application No. 19638, and said Decision No. 32120, on Application No. 22800, are hereby revoked and annulled.

The authority herein granted is subject to the following conditions:

1. Applicant shall establish operations over the new routing 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 ten 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 application, or rates and rules satisfactory to the Railroad Commission.

2. Applicant 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 five days' notice to the Railroad Commission and the public, a time schedule or time schedules governing service over the new routing as 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 28th day of May, 1940.

Ray L. Riley
Frank Haven
Robert A. ...
H. ...

COMMISSIONERS