

Decision No. 33182

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
Sequoia & General Grant National Parks
Company for permission to change its
route between Fresno and General Grant
Grove, Kings Canyon National Park
(formerly General Grant National Park),
to clarify its certificate in other
respects, and to increase fare for
"on-call" service.

Application No. 23490

BAKER, Commissioner

O P I N I O N

By and through the above entitled proceeding, designated Application No. 23490, the Sequoia & General Grant National Parks Company, a corporation, presently operating an automotive passenger service by virtue of a Certificate of Public Convenience and Necessity heretofore issued by the California Railroad Commission through Decision No. 27785, dated the 4th day of March, 1935, on Application No. 19834, as amended by Decision No. 31400, dated October 31, 1938, on No. 22274, prays for an Order, four-fold in nature and effect, as follows:

1. That the said applicant be authorized to utilize in the operation of its service, as an alternative route with reference to a portion of its present authorized route, a certain recently completed unit or segment of highway, extending westward from General

Grant Grove (formerly General Grant Park) for a distance of approximately ten (10) miles, together with additional units as the construction thereof be completed, all as in the said application and hereinafter more particularly described.

2. That the applicant's operative right with respect to its "on-call" service over the Kings River Highway be clarified or re-defined by substituting for an indefinite, unmarked point designated "Road End" in the said certificate of public convenience and necessity, the specific, fixed point of Cedar Grove, at Park Boundary, which marks the easterly terminus of the said Kings River Highway.

3. That a round-trip fare of \$3.00 be authorized for the said "on-call" service over the proposed re-defined route along Kings River from General Grant Grove to Cedar Grove at Park Boundary, the eastern terminus of the said highway, and being approximately 10 miles beyond the point formerly known as "Road End", in lieu of the fare of \$2.00 heretofore established, and presently in effect, for the round-trip from General Grant Grove to the said point designated "Road End".

4. That in lieu of the titles "General Grant Park, and "Grant Park", wherever either of such terms appears in any of the papers, files

and records of these proceedings, there be deemed substituted therefor the proper and duly authorized title of "General Grant Grove, Kings Canyon National Park".

Upon the hearing of the said application, on the 21st day of June, 1940, it was established of record by competent evidence, both oral and documentary, that a certain segment of the applicant's "Circle Tour" route, referred to and described as the "return portion", extending from General Grant Grove to Fresno, involves traffic over a very sinuous, narrow and hazardous course for a distance of approximately 30 miles; that in lieu of one segment of such portion of the said route a new highway, modern as to type, including a marked reduction in the degree of grade and curvature, extends from the General Grant Grove entrance for approximately 10 miles in a westerly direction; that due to such improvement the driving time between General Grant Grove and Fresno has been reduced to the extent of fully 20 minutes, as well as to provide for the greater comfort and safety of automotive passengers; that it is proposed to re-align certain additional segments of the said portion of the General Grant Grove-Fresno Highway (California State Highway No. 180), as a joint Federal and State project, thereby to obviate the necessity of traffic by motor vehicles via any portion of the mountainous section of the said Fresno-General Grant Grove highway over which the applicant's passenger buses are presently routed; and that, in view of further highway construction within the said area, with attendant necessity for temporary detours, together with consideration for the

accommodation of the occasional "on-call" passengers from or to Pinehurst, Mira Monte and Dunlap, no one of which points is situate upon the said new highway, either as completed or as contemplated, it would be both expedient and advisable, as well as in the public interest, that applicant's present route in the said area of highway construction be retained as an alternate route.

It was also established of record herein that, as of the date of said Decision No. 27785, the Kings River Highway extended to a point commonly known as "Road End" only, a distance of approximately 18 miles from General Grant Grove, but that the said road has since been extended to a point approximately 28 miles beyond General Grant Grove, terminating at Cedar Grove, Park Boundary; that since the completion of the said extension, the applicant's passengers on such sight-seeing trip have rebelled against a limitation of the trip to the authorized point of "Road End" only, for they would thereby miss the grandest and most beautiful portion of the Kings River Canyon, and that, therefore, the applicant has been, and still is, extending such "on-call" round-trip to Park Boundary, or Cedar Grove, but without any charge therefor.

Through a simple mathematical calculation it will appear that the proposed increase of fare for such "on-call" service is less than proportionate, for the 56-mile round-trip, with reference to the present fare of \$2.00 for a round-trip of but 36 miles. It thus appears that the applicant's request for authority to establish the said proposed round-trip fare of \$3.00 is reasonable and should be granted.

It is further disclosed by the record herein that, subsequent to the date of Decision No. 27785, and prior to the filing of the said Application No. 23490, the area formerly known and officially designated as General Grant Park, and somewhat commonly referred to merely as Grant Park, was, by an Act of Congress, changed to the formal title of "General Grant Grove, Kings Canyon National Park". It is therefore quite obvious that the applicant's request be granted for a substitution of title as set forth in Sub-division (d), Section IV, of the said application.

No one appeared at the hearing of the said Application to protest against, or in opposition to, the granting thereof.

Upon consideration of the evidence of the record herein, I am of the opinion, and hereby find as a fact, that all of the material representations of the said application are true, and that the prayer thereof should be granted in its four-fold aspect.

The following form of an Order is therefore recommended:

O R D E R

An application having been made to the California Railroad Commission praying for an order as indicated and outlined in the foregoing opinion, a public hearing having been held with respect thereto and the said case having been submitted for decision, and the Commission being fully advised in the premises

IT IS HEREBY ORDERED that the Sequoia and General Grant National Park Company, the applicant herein, be, and it

hereby is, authorized to adopt as an alternate route, and to establish a passenger bus service thereon, that certain recently completed highway extending from the western entrance to General Grant Grove (formerly General Grant Park) to a point approximately ten (10) miles westerly thereof, the said segment or unit of highway lying northerly from, and running generally parallel to, that portion of the applicant's present authorized route between General Grant Grove and Dunlap via Pinehurst and Mira Monte; and being hereby further authorized to utilize, as an alternate route, each additional unit of proposed new highway yet to be constructed, as an extension of the said new ten-mile segment, as and when the same shall have been completed.

IT IS FURTHER ORDERED that the applicant's operative right relative to its "on-call" service over the Kings River Highway, stated in Section numbered "7" of the Order issued through Decision No. 27785, "An 'on-call' service for a minimum of four (4) passengers Grant Park to 'Road End' on Kings River Highway", be clarified and re-defined by substituting in lieu of the specifications of the said quoted Sub-section 7 the following: "An 'on-call' service for a minimum of four (4) passengers from General Grant Grove, Kings Canyon National Park, via Kings River Highway to Cedar Grove at Park Boundary".

IT IS FURTHER ORDERED that the applicant be, and it hereby is, authorized to publish and establish a round-trip fare of \$3.00 for the said "on-call" service over the Kings River Highway, as above re-defined, in lieu of the present fare of \$2.00 for the round-trip between General Grant Grove and the point formerly termed "Road End".

IT IS FURTHER ORDERED that in lieu of the titles "General Grant Park" and "Grant Park", whenever either of such terms appear in any of the papers, files and records of these proceedings, there be deemed substituted therefor the proper present official title of "General Grant Grove, Kings Canyon National Park", so designated by Act of Congress.

The authorization above specified is subject to the following conditions:

1. The authority herein granted shall lapse and become void if the applicant shall not have complied with each of the several conditions within the periods of time specified herein, unless, for good cause shown, the time limitation be extended by further order of the Commission.
2. The service herein authorized shall be inaugurated by the Applicant within thirty (30) days after the effective date of this order, and shall prepare and file, in triplicate, on at least one (1) day's notice to the Commission and to the public, a supplement to its tariff and a time schedule in conformity with the said order.

The effective date of this order is hereby fixed as the date hereof.

Dated at San Francisco, California, this 16th day of July, 1940.

Garrett Williams

Robert W. Higgins

J. J. [unclear]

Justus F. Calmer