

ORIGINAL

Decision No. 34323

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of A.	)	
EARL WION for certificate of public con-	)	
venience and necessity to operate automo-	)	Application
bile stage service, as a common carrier,	)	No. 24219
between Jackson, County of Amador, State	)	
of California, and Ray's Twin Lakes Resort,	)	
County of Alpine, State of California, via	)	
Silver Lake along State Highway No. 88.	)	

BY THE COMMISSION:

O P I N I O N

By an application filed on May 24, 1941 A. Earl Wion seeks a certificate of public convenience and necessity to operate as a passenger stage corporation for the transportation of persons, baggage and express between Jackson, in Amador County, and Ray's Twin Lakes Resort, in Alpine County, a distance of approximately 60 miles over California State Highway No. 88, serving intermediate points en route.

By an amendment, filed June 12, 1941, applicant proposes also to serve a zone extending five miles laterally along each side of the route described. Within this zone is the community of Volcano, reached by a road diverging from State Highway No. 88 at Pine Grove. This area, located in the heart of the Sierra Nevada, has become a recreational center, attracting vacationists, hunters and fishermen. In winter it is devoted to winter sports. Within it are situated resorts, cabins and camping sites. Mining and lumbering form the principal industries.

Service would be provided between Jackson and Ray's Twin Lakes Resort during the summer season. Throughout the remainder

of the year the road is blocked by snow, being impassable east of Cook's Station (31 miles east of Jackson) during the winter months. Under the schedule proposed, a daily service would be conducted to all points except Volcano, which would be served "on-call". Service beyond Cook's Station would be suspended during the winter.<sup>(1)</sup>

At the outset, applicant would use a station wagon accommodating twelve passengers. The service, so it is alleged, would be used by vacationists, resort owners and employes in the mines and lumber camps. It would enable members of one-car families to reach their cabins. It also would be used by those engaging in winter sports.

Included among the express shipments weighing 100 pounds or less which applicant proposes to haul for the general public, will be shipments of ice cream, milk and perishable products from Jackson to various resorts and camps intermediate to and at Ray's Twin Lakes Resort, from which an estimated revenue of \$75 per month will be derived. Applicant also holds two mail contracts with the United States Government, one between Jackson and Silver Lake, and the other between Silver Lake and Ray's Twin Lakes Resort, from which a revenue of approximately \$220 per month is now received.

The passenger fares proposed to be charged as set forth in the application, are on a point-to-point one-way fare at the rate of 5 cents per mile and include the carriage of baggage, not in excess of 60 pounds, free. Applicant estimates its operating

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(1) The time schedule attached to the application shows a proposed departure from Jackson at 4:00 P.M. and arrival at Ray's Twin Lakes Resort at 6:20 P.M. The schedule in the reverse direction shows departure from Ray's Twin Lakes Resort at 9:50 A.M. and arrival at Jackson at 2:00 P.M.

expenses, including driver's wages, gas, oil, repairs, depreciation and overhead will amount to approximately 10 cents per mile.

No common carrier now serves this territory. Applicant, who now carries the mail over this route under a contract with the Federal Government, appears qualified to conduct the proposed passenger and express service. Accordingly, the application will be granted. No public hearing appears necessary in this matter.

We are of the opinion and find that public convenience and necessity require the establishment and operation of a passenger stage service by A. Earl Wion, for the transportation of passengers, baggage and express between Jackson and Ray's Twin Lakes Resort and intermediate points, with the right to conduct said service from and to points located in a zone extending five miles laterally along each side of the public highways between said points.

#### O R D E R

Based upon the foregoing opinion and the Commission's finding that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity be and it hereby is granted to A. Earl Wion to operate as a passenger stage corporation, as that term is defined in section 2 $\frac{1}{2}$  of the Public Utilities Act, for the transportation of passengers, baggage and express between Jackson, Amador County, and Ray's Twin Lakes Resort, Alpine County, and intermediate points, with the right to conduct service to and from points located in a zone extending five (5) miles laterally along each side of the public highway over the route hereinafter set forth.

IT IS FURTHER ORDERED that the foregoing certificate of public convenience and necessity be and it hereby is made subject to the following conditions:

1. Subject to the Commission's right to change said route at any future time, the operation herein authorized shall be conducted over and along California State Highway No. 88 and county roads diverging laterally therefrom.
2. Express shipments to be handled by the applicant shall be limited to shipments weighing 100 pounds or less and transported in passenger vehicles only.
3. Applicant may render "on-call" service between Jackson, on the one hand, and Volcano, on the other hand, by diversion from California State Highway No. 88 at Pine Grove.

IT IS FURTHER ORDERED that in the operation of the passenger stage service herein authorized A. Earl Wion shall comply with the following service regulations:

1. File a written acceptance of the certificate herein granted within ten (10) days from the effective date of this order.
2. File in triplicate within ten (10) days from the effective date of this order and upon not less than one (1) days notice to the Commission and to the public, an appropriate tariff and time schedule conforming to the offer of service set forth in the application, as amended.
3. Applicant shall comply with the Commission's General Order No. 93-A.

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

Dated at San Francisco, California, this 17<sup>th</sup> day

June, 1941.

Ray C. Kelly  
Justice F. Green  
Howard. Haven  
Arthur. H. Baker