

Decision No. 34767

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Petition of FEATHER )  
 RIVER STAGE CO., a corporation, to aban- )  
 don certain operations and to surrender )  
 the operating rights issued in Decision ) Application No. 24272  
 No. 24984 on Application No. 18082, and )  
 Decision No. 28766 on Application No. )  
 20059. )

ORIGINAL

BY THE COMMISSION:

O P I N I O N

Feather River Stage Co., a corporation, here seeks authority to discontinue and abandon all of its automotive common carrier services for the transportation of passengers and property between Oroville and the California-Nevada State Line near Peavine and intermediate points, via Buck's Lake, Quincy and Portola, and including an off-route service to Keddie, Walker Mine and Grizzly Ice Camp.

Between Oroville and Quincy, via Buck's Lake, this service had been operated under lease by E. S. Heyen, while applicant itself has conducted the balance of the operation. Entered into during the latter part of 1938, with Commission approval, <sup>(1)</sup> this lease ran until June 30, 1939, with an option to continue until June 30, 1942. However, applicant alleges that in January of 1941, lessee Heyen signified his intention to cancel this lease.

---

(1) Decision No. 31436, dated November 5, 1938, on Application No. 22003.

In justification for the granting of the relief here sought applicant generally alleges that there is not sufficient traffic to support the cost of maintaining this service and that public convenience and necessity do not need or require its continuance.

Specifically as to the operations east of Quincy, applicant alleges that during the period June, 1940, to and including May, 1941, 78 passengers and 86 packages were carried in intrastate service involving 4,527 miles of operation, from which there was realized a total revenue of \$119.57<sup>(2)</sup>. Applicant further alleges that, as to the points Quincy to Portola, the public is adequately served by the Western Pacific Railroad Company and Pacific Greyhound Lines and declares that the major passenger and express movements to and from points lying east of Quincy generally are to and from Reno, Nevada, which service applicant now gives and will continue to render by virtue of a certificate of public convenience and necessity granted to it by the Interstate Commerce Commission.

With respect to service between Oroville and Quincy and intermediate points (leased to Heyen) applicant contends that it cannot operate this service on a compensatory basis and points to the experience of lessee Heyen for the year 1940

---

(2) See Exhibit A attached to the application.

which shows a net loss of \$469.77. (3) Included in the operating revenue of said lessee is the sum of \$1,848.50 which represents the monies realized from a United States mail contract which would be retained by lessee and, therefore, not be available for lessor. Lacking this revenue, the loss of Feather River Stage Co. for a comparable operation would be substantial. Applicant contends that lessee Heyen will continue to operate this mail route between Oroville and Merrimac and, therefore, would be in a position, if public convenience and necessity should so require, to render a passenger and freight service between these points. This, according to applicant, leaves only the matter of service to and from Buck's Lake and, as to this, applicant alleges that most of the passengers and property transported to and from this resort center are now handled by private automobiles of patrons or in vehicles of the owners and proprietors of Buck's Lake Resort.

After a full consideration of this matter we are of the opinion that applicant should be afforded the relief prayed for. It further appears that a public hearing is not necessary. The application will be granted.

---

(3) See Exhibit B attached to the application.

O R D E R

IT IS ORDERED that Feather River Stage Co. be and it is hereby authorized to discontinue and abandon all of its operations as an automotive common carrier of passengers and property between Oroville and the California-Nevada State Line near Peavine and intermediate points, via Buck's Lake, Quincy and Portola, including off-route service to Keddie, Walker Mine and Grizzly Ice Camp.

IT IS FURTHER ORDERED that Decisions Nos. 24921, 24984, 26274, 28766 and 31436, creating, amending and modifying the operative rights for the above-described service, be and they are hereby revoked and annulled and all tariffs and time schedules filed thereunder cancelled.

The effective date of this order shall be ten (10) days from the date hereof.

Dated at San Francisco, California, this 18<sup>th</sup> day of November, 1941.

[Signature]  
[Signature]  
Justin P. Calver  
Francis R. Havenue  
[Signature]  
 COMMISSIONERS