

Decision No. 36996

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of )  
AL ASHER and O. E. DURKIN, copartners, )  
d.b.a. STATION WAGON CHARTER SERVICE )  
for certificate of public convenience )  
and necessity to operate stage service )  
as a common carrier, between points in )  
California, as hereinafter shown, and )  
Los Angeles, California. )

Application No. 25867

A. F. DAILY, for applicants.

WALLACE P. ROUSE, for Jenkins Motor Co., protestant.

JAMES GUNN, for Board of Public Utilities and Transportation of the City of Los Angeles, interested party.

E. E. BENNETT, for Interstate Transit Lines and Union Pacific Railroad Company, protestant.

DOUGLAS BROOKMAN and R. E. THOMAS, for Pacific Greyhound Lines, protestant.

JONATHAN C. GIBSON and WILLIAM F. BROOKS, by WILLIAM F. BROOKS, for Santa Fe Transportation Company, protestant.

JOHN F. McNEIL, for Antelope Valley Transit Company, protestant.

HERBERT CAMERON, for Vernon and Clarence Harlow, protestant.

E. L. H. BISSINGER, for Southern Pacific Company, interested party.

BY THE COMMISSION:

O P I N I O N

This is an application of Alfred Asher and O. E. Durkin copartners, doing business as Station Wagon Charter Service, for a certificate of public convenience and necessity to operate a passenger stage service as a highway common carrier between Los Angeles and

- (a) points between Indio, Desert Center and Camp Granite including both Indio and Camp Granite,
- (b) points between Indio and Westmoreland, including both points, and
- (c) north from Santa Monica including Hueneme and Oxnard.

The service is designed to transport only men in the armed service between Los Angeles and the military camps along the proposed routes.

A public hearing was held before Examiner Gannon at Los Angeles on February 16, 1944, and the matter was submitted.

At the hearing, applicants were granted leave to amend their application by eliminating (b) and (c) above, and further eliminating Indio and Desert Center from (a). In other words, the application would embrace only service between the Los Angeles area, on the one hand, and Desert Center to Earp, on United States Highway No. 70, on the other hand, including Earp but excluding Desert Center. These amendments resulted in the withdrawal of the protest to the granting of the application by Pacific Greyhound Lines, Santa Fe Transportation Company, Antelope Valley Transit Company and Southern Pacific Company.

O. E. Durkin testified for the applicants. The principal points to be served are Camp Coxcomb and Camp Granite lying east and north of Indio, with no local service between said points. He testified that he had made a study of the territory, talked to service men, and reached the conclusion that there was a need for public transportation which would enable officers and enlisted men to spend their leaves of absence in Los Angeles. In his judgment present service was inadequate and not coordinated to the needs of the men in the military camps.

The applicants' proposal is to provide an "on call" service. They have eight station wagons which they propose to use in the operation, with a seating capacity of ten passengers each. The rates are based on a fixed amount for the exclusive use of each vehicle. Thus, the charge for a full or partial load between Los Angeles and points east of Indio would be \$100 for the round trip.

The principal protest against granting of the application came from Jenkins Motor Co. which operates in the territory proposed to be served by applicants. Jenkins' certificate authorizes passenger bus transportation between Los Angeles and certain other points, on the one hand, and Camp Young, Desert Center, Camp Coxcomb, Iron Mountain, Granite, Frieda and Rice Army Airfield, on the other hand. In fact, Jenkins now provides transportation to all the territory proposed to be served by applicants.

There is nothing in this record to show that Jenkins has failed to provide an adequate service to this territory. He has ample equipment with which to meet present requirements and is authorized to acquire additional equipment from the Army on lease, if the need arises.

Much of the evidence of applicants and protestants went to the question of the number of men at each of the camps proposed to be served, which varied considerably.

It appears that all of the camps in the Desert Center area have suffered a substantial reduction in the number of men, with no perceptible replacements. Some of them have been entirely abandoned. It appears from this record that what requirements there may be for continued passenger service to and from the points

involved can adequately be met by the existing carriers in that field. The record discloses no request from the military authorities for added transportation. It would constitute a needless waste of equipment and man-power to authorize additional service.

A careful analysis of the record in this proceeding convinces us that public convenience and necessity do not require the proposed service, and the application will therefore necessarily be denied.

O R D E R

The above application having been filed, a public hearing having been held, and the Commission being fully advised,

IT IS ORDERED that the above application is hereby denied.

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

Dated at Los Angeles, California, this 11<sup>th</sup>  
day of April, 1944.

Richard L. Jackson  
Justin J. Casner  
Frank R. Havens  
Frank C. Cook  
Craig Powell  
COMMISSIONERS