

Decision No. 37962

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
JOSEPH MILLER, doing business as BAY )  
RAPID TRANSIT COMPANY: for permission )  
to continue suspension of operations )  
between Carmel and Pacific Grove via )  
Forest Road and Pacific Grove-Carmel )  
Highway. )

**ORIGINAL**

Application No. 25763  
1st Supplemental

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION

In Decision No. 36947 the Commission, among other things, authorized Joseph Miller to suspend until May 31, 1945, his passenger stage operation between Carmel and Pacific Grove over Forest Road and Pacific Grove-Carmel Highway. Such temporary suspension was authorized on the basis of the showing made that the revenue derived from operation over this route was considerably less than the expense of operation.

In the above entitled first supplemental application Miller requests the Commission to authorize a continuance of such suspension until May 31, 1946. In justification therefor the application states that the Office of Defense Transportation regulations discourage operations where the load factor is less than a prescribed minimum; that the time stages were last operated by applicant over the route involved an average of less than four passengers on each schedule were transported; that there is no change of circumstances which would materially increase the number of passengers available at this time and that it is not believed that the Office of Defense Transportation would authorize additional gasoline and tires for the resumption of this schedule during the present shortage of these commodities. Applicant also asserts that

service between Carmel and Pacific Grove is presently provided via Monterey, transfer being made at the latter point, which has proved adequate to the public need during the period of suspension and that he has received no protests in regard to lack of direct service between Carmel and Pacific Grove.

After full consideration of this matter, it is our judgment that applicant's request is reasonable and should be granted. No public hearing is necessary.

FIRST SUPPLEMENTAL ORDER

Good cause appearing,

IT IS ORDERED that Joseph Miller may continue suspension of passenger stage service between Carmel and Pacific Grove via Forest Road and Pacific Grove-Carmel Highway until May 31, 1946. Applicant shall immediately, and upon not less than one day's notice to the Commission and the public, file appropriate supplements to its tariffs and time tables reflecting the authority herein granted.

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

Dated at San Francisco, California, this 5<sup>th</sup> day of June, 1945.

David Anderson  
Justus F. Casper  
Richard H. Chase  
Frank W. Clark  
James D. Dwyer  
COMMISSIONERS