

Decision No. 13580

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
A. S. STAFFORD for certificate of )  
public convenience and necessity to )  
operate a passenger and express auto ) Application No. 8986.  
service between San Rafael and Lagun- )  
itas and way points in Marin County, )  
under the name of San Rafael-Lagunitas )  
Transportation Company. )

Walter E. Robinson, for applicant.  
C. E. Smith & J. J. Goary, for Northwestern  
Pacific Railroad Company, protestant.

BY THE COMMISSION:

OPINION

A. S. Stafford has petitioned the Railroad Commission, in accordance with his amended application, for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers and express between San Rafael and Lagunitas, serving San Anselmo, Fairfax, Manor, Woodacre, San Geronimo, Forest Knolls and intermediate points.

Public hearings on this application were conducted before Examiner Satterwhite at San Francisco, the matter was submitted and is now ready for decision.

Applicant proposes to charge rates and to operate on a time schedule in accordance with amended Exhibits "A" and "B" attached to said application, and to use a 9-passenger automobile and an auto truck of sufficient capacity to carry express matter.

The Northwestern Pacific Railroad Company protested the granting of said application.

The evidence of applicant shows that San Rafael and San Anselmo are shopping, recreation and social centers for the residents of all the communities proposed to be served north of Manor. This territory is now served only by the protestant rail carrier, whose service and train schedules are unsatisfactory and inconvenient for the reason that no trains are operated by said protestant, either out of or into this district, at any time except between the hours of 7:00 a.m. and 9:20 a.m., and the hours of 5:45 p.m. and 7:20 p.m. excepting Saturdays and Sundays.

The record shows that there is no means of traveling or of sending or obtaining supplies or express matter to or from any point north of Manor from or to Manor or any point south of Manor between the hours of 9:26 a.m. and 5:56 p.m. except on Saturdays, when there is an extra train one way and two extra trains the other way.

Passengers residing in the communities north of Manor who desire to travel to Manor or any point south of Manor are compelled to take the train leaving before 7:00 a.m. and cannot return by train until after 6:00 p.m. of the same day. The same conditions of service prevail when traveling in the opposite direction. It was shown that the proposed bus service will meet the demand of the housewives of all this section who desire to do their shopping at both San Anselmo and San Rafael in the middle of the day and return at an earlier hour than that afforded by the train schedules. Many school children attend the high schools at San Rafael and this bus service will afford them a more direct and convenient service without the necessity of any transfer or delay en route.

The Chamber of Commerce and a large number of the merchants and business men of San Rafael have also endorsed this

service on the basis that it will afford a direct and shorter means of transporting both passengers and supplies and express matter into this territory.

After a careful consideration of all the evidence in this proceeding, we are of the opinion that public convenience and necessity justify the granting of said application.

### O R D E R

Public hearings having been held in the above entitled application, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by said A. S. Stafford of an automobile stage line as a common carrier of passengers and express between San Rafael and Lagunitas, serving San Anselmo, Fairfax, Manor, Woodacre, San Geronimo, Forest Knolls and intermediate points, provided, however, that the express herein authorized is restricted to a weight of 60 pounds and is to be carried only on the passenger stages of applicant, no general express privilege being herein authorized.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and the same hereby is, granted to said applicant, subject to the following conditions:-

1.-Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from the date hereof; shall file, in duplicate, tariff of rates and time schedules within a period of not to exceed twenty (20) days from date hereof, such tariff of rates and time schedules to be identical with those attached to the application herein; and shall commence operation of said service within a period of not to exceed thirty (30) days from the date hereof.

2.-The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

3.-No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 21st day  
of May, 1924.

C. Seaver  
H. B. Burdige  
James M. Martin  
Egerton Shore  
J. T. Whittney  
Commissioners.