

Decision No. 13966

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
BUFFO & CONIGLIO for certificate of )  
public convenience and necessity to )  
operate passenger service between )  
Pittsburg and vicinity. )

Application No. 9748.

In the Matter of the Application of )  
DENNIS PETTAS for certificate of )  
public convenience and necessity to )  
operate passenger service between )  
Pittsburg and vicinity. )

Application No. 9766.

**ORIGINAL**

Wade W. Moore for applicant in App. 9748.  
Hugh E. Donovan for applicant in App. 9766.  
E. H. Ward for Ward's Auto Stages.

BY THE COMMISSION:

OPINION

John Buffo and Horace Coniglio, co-partners, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile stage line as a common carrier of passengers between Pittsburg and the industries situated along the public highway extending east of the city limits of Pittsburg a distance of about one and one-half miles, and intermediate points. Applicants propose to charge rates and to operate on a time schedule in accordance with Exhibit "A" and amended Exhibit "B" attached to said application and to use the equipment described in Exhibit "C".

Dennis Pettas has petitioned the Railroad Commission 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 between Pittsburg and the industries situated along the public highway extending east of the city limits of Pittsburg a distance of about one and one-half miles, and intermediate points. Applicant proposes to charge rates and to operate on a time schedule in accordance with Exhibits "A" and "B" attached to said application and to use the equipment described in Exhibit "C".

A public hearing on these applications was conducted before Examiner Satterwhite at Pittsburg, the matters were submitted and are now ready for decision. At the hearing the applications were consolidated for the purpose of receiving evidence and decision.

Mr. E. H. Ward, who operates an authorized passenger stage service between Pittsburg and Antioch, protested the granting of said applications, but withdrew his opposition upon a stipulation by each of said applicants that no through passengers between Pittsburg and Antioch would be carried by any of said applicants over the route proposed to be served. Each of said applicants protested the application of the other.

The testimony of applicants shows that there are many manufacturing industries, consisting of steel works, chemical works, oil works and rubber mills, along the highway for a distance of at least a mile and a half from Pittsburg and that there are employed at these various industries about 1800 men and women who reside in or near the city of Pittsburg. For several years last past both of the above mentioned applicants, in response to the demand therefor, have been carrying these laborers to and from their work.

Mr. A. E. Jongenwel appeared at the hearing as a representative of one of the large industries proposed to be served and en-

dorsed the proposed service of both of said applicants on the ground that in order to carry the several hundred employees who go to work at different times of the day both proposed stage lines are necessary. The record shows that all of these industries are growing rapidly and that a larger number of men is being constantly employed.

After a careful consideration of all the evidence in these proceedings, we are of the opinion that both applications should be granted, with the provisions and restrictions as set forth in the following Order.

#### O R D E R

A public hearing having been held in the above entitled applications, the matters having been submitted and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by John Buffo and Horace Coniglio, co-partners, of an automobile stage line as a common carrier of passengers between Pittsburg and the industries situated along the public highway extending east of the city limits of Pittsburg a distance of about one and one-half miles, and intermediate points, provided however, that said applicants shall not carry any through passengers between Pittsburg and Antioch over the route herein authorized to be served.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Dennis Pettas of an automobile stage line as a common carrier of passengers between Pittsburg and the industries situated along the public highway extending east of the city limits of Pittsburg a distance of about one and one-half miles, and intermediate points,

provided however, that said applicant shall not carry any through passengers between Pittsburg and Antioch over the route herein authorized to be served.

IT IS HEREBY ORDERED that certificates of public convenience and necessity be, and the same hereby are granted to applicants John Buffo and Horace Coniglio, co-partners, and to applicant Dennis Pettas, subject to the following conditions:

1. Applicants shall file their written acceptance of the certificates herein granted, within a period of not to exceed ten (10) days from date hereof; shall file, in duplicate, tariffs of rates and time schedules within a period of not to exceed twenty (20) days from date hereof, such tariffs of rates and time schedules to be identical with those attached to the applications herein; and shall commence operation of said service within a period of not to exceed thirty (30) days from 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 any of the applicants herein unless such vehicle is owned by said applicant or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 27<sup>th</sup> day of August, 1924.

C. Shaw

H. K. B. B. B. B. B.

Erving Martin  
Egerton Shore

J. P. Westbury  
Commissioners.