

Decision No. 14691

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WILLIAM AZEVEDO to operate auto stage)
line between Half Moon Bay and) APPLICATION NO. 9805
San Francisco, California.)

J. E. McCurdy for Applicant.
E. A. Encell and Jas. A. Miller for
Coastside Transportation Company, Protestant.
Ivoris R. Dains for Market Street Railway
Company, Protestant.

DECOTO, Commissioner.

OPINION ON REHEARING

In Decision No. 14476 dated January 27, 1925, and issued on Application No. 9805, this Commission denied to William Azevedo authority to carry express on the auto stage line operated by him between San Mateo and Half Moon Bay and extend a service for the transportation of passengers and express to San Francisco, with no local service between San Mateo and San Francisco. On February 6, 1925, applicant herein petitioned for a rehearing and on February 14, 1925, this Commission issued its order granting a rehearing. On Friday, March 6, 1925, at 10 A.M., before Commissioner Decoto, a public hearing was held in the court room of the Commission in the State Building, San Francisco, California.

Sixteen witnesses offered testimony at the rehearing in support of the applicant's contention that public convenience and necessity required operation by him of an express service. Azevedo also testified as to the many calls made upon him to transport packages. The witnesses were almost a unit in agreeing that Coastside Transportation Company, holder of a certificate to transport express to Half Moon Bay via San Mateo, never gave any

reliable, if any, express service. A record book kept at the office of the American Railway Express Company in San Mateo for the signatures of Coastside drivers, the book to be signed when a Coastside driver called to pick up express matter, showed that for many days at a time the express office was not visited by Coastside representatives. Several of the witnesses testified that they did not know Coastside Company was in the express business. No office was maintained by Coastside Company at San Mateo.

Auditor T. W. Springett of Coastside Company testified that the amount of business offered did not justify operation of an express car via San Mateo.

It would appear, however, in view of the testimony of so many receivers and shippers of goods at Half Moon Bay, that there is need for an express service at least between Half Moon Bay and San Mateo. Azevedo also testified that he was being constantly called upon to transport merchandise. Half Moon Bay is a prosperous and growing community, a fact which should be borne in mind by carriers catering to the needs of the Half Moon Bay district.

As to the passenger service proposed by Azevedo, namely, an extension of his present Half Moon Bay-San Mateo service to San Francisco, there seems to be no question that a certain percentage of the Half Moon Bay travelers bound for San Francisco prefer to travel via the Azevedo stage to San Mateo, thence by electric car, operated by the Market Street Railway Company, between San Mateo and San Francisco, rather than make the trip up the coast on the stages of the Coastside Company, a choice made notwithstanding the Azevedo route requires a change at San Mateo, as against the through service of the Coastside Company.

The Pedro Mountain grade, traversed by Coastside Transportation Company, was urged by a few as a reason for choosing the San Mateo route.

Mainly, however, it appears that the Market Street Rail - way car service from 5th & Market Streets, San Francisco, with its favorable connection with the Azevedo line at San Mateo, is the deciding factor. Witnesses had no complaint of inconvenience because of the change, their only complaint regarding the Azevedo-street car service being based on the crowded condition of the street cars out of San Francisco as far as Daly City. This condition, according to A. L. Black, Vice President of the Market Street Railway Company, would be remedied if a plan put forward by the Three Cities Chamber of Commerce of San Mateo County, and which is now being considered by the Supervisors of San Francisco, is carried into effect. This plan would limit local traffic in San Francisco on suburban cars, thus making for faster time and less crowded conditions between San Francisco and San Mateo. Ample service between San Francisco and San Mateo is provided by the Southern Pacific and two auto stage lines.

According to Azevedo's travel record for the year 1924, he transported an average of 14 passengers per day between San Mateo and Half Moon Bay including those carried each way, most of whom, he testified, were bound to or from San Francisco; in other words, 7 passenger per day each way. An exhibit offered by Coastside Company shows that from September 1, 1924, to March 1, 1925, the company transported 9 passengers per day between Half Moon Bay and San Francisco; in other words, $4\frac{1}{2}$ passengers each way per day, the total of both being $11\frac{1}{2}$ passengers each way per day. Coastside Company's Passenger

Time Schedule shows four round trips a day between San Francisco and Half Moon Bay, with extra trips on Sundays and holidays. This service is seldom used to utmost capacity, a further exhibit showing many vacant seats. A deficit of \$14,190.33 for the year 1924 is also shown in an exhibit filed by the Company.

Considering all the factors governing peninsula traffic, I am of the opinion that the additional evidence offered by Applicant Azevedo does not justify any change in the Commission's Order in Decision No. 14476, denying Azevedo the right to operate a through passenger and express service between San Francisco and Half Moon Bay, via San Mateo. Coastside Transportation Company is fully equipped to care for this through traffic, and denial of the through route to Azevedo will not in the least curtail the right of travelers to exercise their choice of routes, as the evidence shows they have done. There must, of necessity, enter into any consideration of the San Mateo County transportation problem the matter of the already crowded condition of the single highway leading to San Francisco. There are four auto stage lines now using this road; to allow another, as would be the case if Azevedo be granted authority to operate through to San Francisco, would simply be adding an extra travel hazard.

Azevedo has, however, justified his contention that there is a demand for an express service between San Mateo and Half Moon Bay. Connection with the American Railway Express service between San Francisco and San Mateo at San Mateo will provide a service amply sufficient to care for all the express business offered between Half Moon Bay and San Mateo and San Francisco.

I recommend the following form or order.

O R D E R

IT IS HEREBY ORDERED that the application of William Azevedo for authority to operate a through service for the transportation of passengers between Half Moon Bay and San Francisco be and the same is hereby denied.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the operation of an auto service for the transportation of express between San Mateo and Half Moon Bay and intermediate points.

IT IS HEREBY ORDERED that a certificate of convenience and necessity for the transportation of express between San Mateo and Half Moon Bay and intermediate points be, and the same is hereby granted to William Azevedo subject to the following conditions:

- 1- That no single package of merchandise to be transported shall weigh more than 200 pounds, and that only such merchandise may be transported as can, without inconvenience to passengers, be carried on the passenger stages of the William Azevedo auto line.
- 2- Applicant shall file within a period of not to exceed ten days from date hereof his written acceptance of the certificate herein granted and shall file within a period of not to exceed twenty days tariff of rates and time schedules showing charges to be assessed and express service to be given between Half Moon Bay and San Mateo; and shall commence operations of said express service within a period of not to exceed thirty days from date hereof.

- 3- 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.
- 4- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.
- 5- For all other purposes the effective date of this order shall be twenty days from the date hereof.

In all other respects the order heretofore issued by the Commission in Decision No. 14476 is to remain unchanged.

Dated at San Francisco, California, this 24th day of March, 1925.

H. K. Bourdige
C. Seavey

George D. Squires

COMMISSIONERS.