

Decision No. 15547

ORIGINAL

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 CALIFORNIA TRANSIT COMPANY, a corpor-  
 ation, for a certificate of public  
 convenience and necessity to reroute  
 portions of its service between Oakland  
 and Stockton via Pleasanton; reroute  
 portions of its service between Vallejo  
 and Sacramento via Suisun; and to  
 lease from S.F.B. Morse the operative  
 rights between Pacific Grove and Merced.

Application No. 11004.

Earl A. Bagby, for Applicant;

E. S. Labfin, for San Francisco-Sierra  
Motor Coach Lines, Intervenor.

BY THE COMMISSION:

O P I N I O N

In this proceeding, California Transit Company, a corporation, seeks a certificate of public convenience and necessity authorizing:

(1) The rerouting of a portion of its service between Oakland and Stockton via Pleasanton, necessitating a change of route between Santa Rita and Livermore;

(2) The rerouting of all of its service between Vallejo and Sacramento via Suisun, necessitating a change of route between Cordelia and Fairfield. In the original application permission was sought by an amended application filed at the hearing, applicant seeks to reroute all its service between these points.

The application also requests the Commission to approve the lease by S.F.B. Morse to applicant of an operative right for the operation of an automobile stage line as a common carrier of passengers between Pacific Grove, Monterey and Del Monte on the one hand and Los Banos and Merced on the other, granted to said S.F.B. Morse by this Commission's Decision No. 13664, dated June 9, 1924, in Application No. 9313. Authority to lease this operative right was granted without a public hearing by the Commission's preliminary order in this proceeding, dated May 12, 1925, (Decision No. 14917). Therefore, it is unnecessary to consider further this part of the application.

Public hearings dealing with those portions of the application respecting rerouting of applicant's service were held before Examiner Austin at Pleasanton on September 11, 1925, and at San Francisco on September 12, 1925, when evidence was offered, the matter was duly submitted, and it is now ready for decision.

The granting of the application was not protested, but San Francisco-Sierra Motor Coach Lines (a corporation) intervened as an interested party, particularly in respect to the rerouting of the service between Oakland and Stockton.

At the Pleasanton hearing applicant called eleven witnesses comprising representative business and professional men, and including several city officials. In addition it introduced maps depicting the routes in question, together with time schedules and tariffs relating to the present and proposed operations. We shall briefly summarize this testimony.

The town of Pleasanton has a population of about 1000; in the adjacent tributary territory live about 2000 more people.

It is situated in eastern Alameda County about 29 miles from Oakland via the Dublin Canyon highway and Santa Rita. It is served by the Western Pacific Railroad Company and Southern Pacific Company, both affording direct rail connections to Oakland and Stockton. Applicant operates a stage line between San Jose and Stockton through Pleasanton, which connects directly at Livermore with applicant's stages running between Stockton and Oakland. There is no direct service between Pleasanton and Oakland, it being necessary for such passengers to change cars at Livermore. From Pleasanton to Oakland via Livermore the distance is 39 miles. Applicant proposes to change the route of some of its Oakland-Stockton stages so that they will leave the Dublin road at Santa Rita, operating thence to Pleasanton and Livermore, where they will resume the present route. Under this plan the distance from Pleasanton to Oakland will be reduced to 29 miles. The time schedules offered show that delays will be eliminated, the running time will be shortened, and increased service afforded. Five schedules daily in each direction will be operated, an increase of one stage each way. In addition the fares to Oakland will be reduced.

The record shows the present service is inconvenient. Frequent complaints have been made as to the necessity of changing cars at Livermore, with its attendant delays, these complaints emanating from commercial travellers, business men and other visitors. To avoid this, passengers frequently have hired private cars to transport them to Santa Rita, where they can connect with the Oakland stages; others are accommodated by

residents travelling between Pleasanton and Santa Rita. Frequent inquiries are received relative to direct service to Oakland, a garage owner testifying that he often rented cars to persons desiring to connect with applicant's stages at Livermore and Santa Rita.

In the vicinity of Pleasanton are gravel pits and brick yards employing from 100 to 200 men, most of whom come from Oakland. The labor turnover is substantial, most employees remaining from one month to six weeks. In addition many of them visit the Bay cities over the week end.

Oakland is the county-seat of Alameda County, drawing many people in connection with legal business, such as attendance upon the courts and the payment of taxes. Many more travel to Oakland and San Francisco to do their shopping..

Witnesses stated the rail service was inadequate, in that the trains left at inconvenient hours, and the schedules did not permit a short visit in Oakland, which would serve the convenience of business men; under the present service, too great a loss of time is entailed. Formerly, the Southern Pacific Company operated an early train from Pleasanton permitting residents to reach Oakland in time for their work, but with the discontinuance of this train these suburban residents moved away. Applicant proposes to establish schedules which will serve the needs of commuters and attract them to Pleasanton.

The San Francisco-Sierra Motor Coach Lines offered no testimony in its behalf.

In view of the showing made we believe applicant has established a need for the granting of this part of its application. We shall now pass to a consideration of the proposed re-

routing of applicant's stage service between Cordelia and Fairfield.

With respect to this feature of the application, applicant introduced maps, time tables and schedules of fares, and called representative business men and city officials of Suisun, as well as its own officials and employees.

Applicant's present route between Vallejo and Sacramento traverses the state highway passing through Cordelia, Rockville and Fairfield. Applicant proposes to abandon this route, and operate over another road, recently paved, from Cordelia to Fairfield via Thomasson (also known as Cement Plant), and Suisun. Over the present route the distance from Cordelia to Fairfield is seven miles; by the proposed route it is 6.8 miles. Formerly, applicant served Suisun, but discontinued when advised that it had no such operative right. However, it has recently been serving Suisun under temporary permission granted by this Commission.

The record shows that practically no traffic originates or is served locally by the present route. At Rockville are three houses and a soft-drink stand. Aside from two high-school pupils, who have occasionally used the stage when they have not used private machines, the traffic is negligible. No school-bus route was established because apparently it was not deemed necessary by the authorities.

On the other hand, the proposed route will have considerable local patronage. Thomasson is a hamlet of about 15 houses, a rock crushing plant and an electric substation being situated there. A considerable number of residents travel to Suisun, the shopping center, and a few children will attend highschool at Fairfield during the current year. At present

residents of Thomasson are obliged to walk from Cordelia, a distance of 1.4 miles. Some large land holdings along this route are now in process of sub-division, it being expected that the land will soon be cut up into small farms and orchards. Although this relates primarily to future development, still it is a circumstance to be considered.

It was shown that applicant's former service to Suisun was well patronized, the traffic originating here averaging about ten passengers a day, and it appears that the demand for transportation has considerably exceeded this figure. Upon the cessation of this service many complaints were made, and applicant receives daily inquiries as to service from Suisun.

The granting of this part of the application was not protested. We believe that under the showing made, applicant has established a necessity for the change of route sought.

Upon full consideration of the evidence, we are of the opinion and hereby find as a fact:

(1) That public convenience and necessity require the rerouting by applicant, California Transit Company, a corporation, of a portion of its automobile stage service between Oakland and Stockton via Pleasanton in either direction, so that such stages shall operate between Santa Rita and Livermore directly through Pleasanton, serving Santa Rita, Pleasanton and Livermore locally and in connection with other points on its lines, subject to all existing limitations and restrictions upon the enjoyment of its operative rights;

(2) That public convenience and necessity require the rerouting by applicant, California Transit Company, of all of its automobile stage service between Vallejo and Sacramento via Suisun,

in either direction, so that such stages shall operate between Cordelia and Fairfield directly through Thomasson and Suisun (instead of Rockville) serving Cordelia, Thomasson, Suisun and Fairfield locally and in connection with other points on its lines, subject to all existing limitations and restrictions upon the enjoyment of its operative rights.

(3) That in all other respects each of said routes shall remain unchanged.

An order will be entered accordingly.

### O R D E R

Public hearings having been held in the above entitled application, the matter having been duly submitted, the Commission being now fully advised and basing its order on the findings of fact which appear in the opinion preceding this order:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA  
hereby declares:

(1) That public convenience and necessity require the rerouting by applicant, California Transit Company, a corporation, of a portion of its automobile stage service between Oakland and Stockton via Pleasanton in either direction, so that such stages shall operate between Santa Rita and Livermore directly through Pleasanton, serving Santa Rita, Pleasanton and Livermore locally and in connection with other points on its lines, subject to all existing limitations and restrictions upon the enjoyment of its operative rights;

(2) That public convenience and necessity require the rerouting by applicant, California <sup>Transit</sup> ~~Transfer~~ Company, of all of *H.M.*

its automobile stage service between Vallejo and Sacramento via Suisun, in either direction, so that such stages shall operate between Cordelia and Fairfield directly through Thomasson and Suisun (instead of Rockville) serving Cordelia, Thomasson, Suisun and Fairfield locally and in connection with other points on its lines, subject to all existing limitations and restrictions upon the enjoyment of its operative rights.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted said California Transit Company, a corporation, authorizing it to reroute its service as herein provided.

IT IS FURTHER ORDERED, that said California Transit Company be and it is hereby authorized to abandon its service between Cordelia and Fairfield via Rockville.

The authority herein granted is subject to the following conditions:

(1) That applicant is authorized herein only to reroute its service, as hereinabove specified, and applicant's operative rights between said points shall in all respects remain subject to all limitations, conditions and restrictions now existing.

(2) Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file, in duplicate, tariff of rates and time schedules identical with those filed as Exhibits "C" and "E" attached to the application herein, and identical with those filed as Exhibits "D" and "F" attached to the amendment to application filed herein, within a period of not to exceed twenty (20) days from date hereof; and shall commence operation of said service within a period of not to exceed thirty (30) 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.



(3) No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all purposes, other than hereinabove stated, the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 21st day of October, 1925.

H. B. Brundage

C. L. Seaver

George D. Trines

Frank Wood

Leon Whitall

Commissioners.