

Decision No. 15886

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application )  
of Harry E. Speas for Authority )  
to Operate Vessels for the Trans- )  
portation of Persons and Property )  
between Oakland and Alameda. )

APPLICATION NO. 12446.

Devlin and Brookman, by Frank R. Devlin, for Applicant.  
Markell C. Baer, Assistant City Attorney, for City of  
Oakland.

W. J. Locke, City Attorney, and Clifton E. Hickok,  
City Manager, for the City of Alameda.

Harley R. Norris, for Alameda Chamber of Commerce.

Brobeck, Phleger and Harrison, by Frank S. Richards,  
for Key System Transit Company.

Wm. J. Hamilton and John F. Mullins, for Board of Super-  
visors of Alameda County.

BY THE COMMISSION:

O P I N I O N

This is an application filed by Harry E. Speas, an individual, under the provisions of paragraph(d), section 50, of the Public Utilities Act for a certificate of public convenience and necessity to operate vessels for the transportation of persons and property on the Oakland estuary between Oakland and Alameda.

The petition sets forth that the Webster Street bridge,

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spanning the Oakland estuary and connecting the cities of Alameda and Oakland was recently destroyed and that there is now available no means of direct transportation between the two cities. It was alleged that the bridge will not be replaced and until the Tube, now under construction, is completed, the means of transportation between Oakland and Alameda will be over circuitous and inconvenient routes.

Applicant proposes the following charges:

Passenger Fare	-	-	.05	cents
Automobile	-	-	.15	"
Motorcycle and driver	-	-	.10	"
Truck	-	-	.20	"
Freight on Truck	-	-	.20	" per ton. (of 2000 lbs.)

A public hearing was held before Examiner Geary at San Francisco January 19, 1926 and the application having been duly submitted is now ready for an opinion and order.

Applicant presented as Exhibit No. 1 a Resolution passed by the Board of Supervisors of the County of Alameda at its meeting held January 18, 1926, reading as follows:

"Resolved, That this Board does hereby recommend that the State Railroad Commission grant the application of Harry E. Speas to operate vessels transporting passengers, automobiles and freight for hire between the cities of Oakland and Alameda from point approximately adjacent to Webster Street in said cities."

The applicant, H. E. Speas, testified that the bridge connecting Oakland and Alameda was destroyed January 7, 1926 and that now there is urgent necessity for immediate service via vessels between the opposite sides of the channel, a distance of approximately one thousand feet.

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Mr. Speas is Vice President and General Manager of the Golden Gate Ferry Company, a corporation, which company owns four automobile steamers and has a fifth vessel under construction. He testified that arrangements have been made for the use of a certain vessel owned by the Golden Gate to furnish satisfactory service. The operating schedule will provide four round trips per hour during sixteen hours of the day, beginning at 5:30 A.M. A representative of the Board of Supervisors testified that the County of Alameda would equip the necessary slips on both sides of the Channel and maintain the same at the expense of the County. It is estimated that the service will cost approximately \$9000.00 per month, and applicant expects to operate continuously until the completion of the Tube now being constructed under the estuary, which under the present program it is expected will be accomplished in April, 1927. The service will be rendered even though the operations are at a loss.

Upon motion of Attorneys representing the Crowley Launch and Towboat Company in Application No. 12426, and the Oakland Launch and Towboat Company in Application No. 12429, these applications, contemplating similar service between Oakland and Alameda, were dismissed. It was stated that both the Crowley and the Oakland have no desire to furnish service in view of the application presented by Mr. Speas. There was no opposition at the hearing to the granting of the instant application.

Applicant stipulated it would enter no objections to a revocation of the certificate of public convenience and necessity should future investigation by the Commission find the service is no longer required. Witnesses appeared in support of the application representing the cities of Oakland and Alameda and for the county of Alameda.

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We are of the opinion and find as a fact that public convenience and necessity requires, because of the present emergency situation created by the destruction of the Webster Street Bridge, the establishment of a service via vessel between Oakland, near Broadway, on the one hand, and Alameda, near Webster Street, on the other, across the Oakland estuary, as set forth in applicant's petition, and that a certificate should be granted, authorizing such service, at the rates set forth in the application, as hereinbefore referred to, subject to the following condition:

That applicant shall file with this Commission, within ten (10) days from the date of this order, a written stipulation providing that upon completion of the Tube now under construction between Oakland and Alameda and upon order of this Commission, the service herein authorized will be discontinued.

#### ORDER

A public hearing having been held in the above entitled proceeding, the same having been duly submitted and now being ready for a decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity requires the operation by Harry E. Speas, an individual, of vessels for the transportation of persons and property, for compensation, across the Oakland estuary, between Oakland and Alameda, at points located near Broadway, on the Oakland side, and near Webster Street, on the Alameda side, as set forth in the application.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted, subject

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to the following conditions:

1. Applicant shall file written acceptance of the certificate herein granted within a period not to exceed ten (10) days from the date hereof, and shall file tariffs, according to the rules of this Commission, setting forth the rates, rules and regulations governing the transportation furnished, which rates shall be those set forth in the application and referred to in the foregoing opinion.

2. That applicant shall file with this Commission, within ten (10) days from the date of this order, a written stipulation providing that upon completion of the Tube now under construction between Oakland and Alameda and upon order of this Commission, the service herein authorized will be discontinued.

Dated at San Francisco, California, this 20<sup>th</sup> day of January, 1926.

H. A. Brundage  
C. S. ...  
George W. Squires  
Ernest ...

Commissioners.