

Decision No. 16337

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
- - - - -

In the Matter of the Application of)
Ayres-Whiteside Transportation Company,)
a copartnership, for Certificate of)
Public Convenience and Necessity to)
Operate Vessels for Transportation as)
a Common Carrier of Freight, for com-)
pensation, between points on the Inland)
Waters of the State of California.)

APPLICATION NO. 12577

ORIGINAL

Gwyn H. Baker, for Applicant,
Sanborn & Roehl and DeLancey C. Smith, by A.B.Roehl,
for Bay Cities Transportation Company,
H.W.Glensor and H.L.Hoffman, for Alameda Transportation Company,
E. H. Maggard, for Petaluma-Santa Rosa Railway Company.

BY THE COMMISSION:

O P I N I O N

This is an application filed under the provisions of paragraph (d), section 50, of the Public Utilities Act, by a copartnership consisting of Charles Ayres and John A. Whiteside, operating under the fictitious name of the Ayres-Whiteside Transportation Company, for a certificate of public convenience and necessity to operate vessels for the transportation of property between San Francisco, Oakland, Alameda (Encinal Terminal), West Berkeley, San Rafael and Sausalito on the one hand, and Suisun, Benicia, Crockett and intermediate points on the other hand, as described in the application and as amended. All of

126

the points are located upon the inland waters of the State of California.

A public hearing was held before Examiner Geary March 24, 1926 at San Francisco and the matter having been duly heard and submitted is now ready for an opinion and order.

The applicant proposes to commence the service with a vessel having a registered tonnage of 18 net tons and gas engines of 50-horse power. The service proposed is new and different from any being rendered at the present time and will principally consist of the movement of small consignments between points where ordinary vessels cannot operate, particularly between wharves and vessels in the streams, to Shipping Board boats anchored near Benicia, and to construction jobs at water points, especially near the Carquinez Straits, where operations must be conducted in shallow waters. This is also true of the service to be rendered at points adjacent to San Rafael, Sausalito, Suisun, Benicia, Crockett and Port Costa.

The rates proposed vary from \$1.00 per ton to \$1.50 per ton in lots of five tons or over, and from 7 cents to 17 cents per 100 pounds for shipments under five tons.

The competing boat lines operating in the same general territory were represented by counsel at the hearing and withdrew all opposition to the granting of the application upon being apprised of the particular kind of traffic to be handled.

Upon this record, we are of the opinion and find as a fact that public convenience and necessity require the service 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 and as amended, subject to the following conditions:

That applicant shall file with this Commission within ten (10) days from the date of this order a written acceptance of the conditions contained in the order, and shall commence operation within sixty (60) days from the date of the order.

O R D E R

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 require the operation by Charles Ayres and John A. Whiteside, operating under the fictitious name of the Ayres-Whiteside Transportation Company, of vessels for the transportation of property, for compensation, between San Francisco, Oakland, Alameda (Encinal Terminals), West Berkeley, San Rafael and Sausalito on the one hand, and Suisun, Benicia and Crockett and the intermediate points on the other hand, as more specifically set forth in the application and as amended.

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

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

Applicant shall commence operation within sixty (60) days from the date of this order.

Dated at San Francisco, California, this 30th day of March, 1926.

H. H. Brandt

C. H. ...

Leon Whitell

Commissioners.