

Decision No. 112394

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
VICTORIA WISETICH, for certificate
of public convenience and necessity
to operate passenger service be-
tween Sacramento City, California,
and Broderick and Westgate, in the
County of Yolo.

Application No. 11769

Arthur H. McCurdy, for Applicant.

BY THE COMMISSION:

O P I N I O N

Victoria Misetich has petitioned the Railroad Commission, in accordance with her amended application, for an order declaring that public convenience and necessity require the operation by her of an auto stage line as a common carrier of passengers between the City of Sacramento, California, and Broderick and Westgate, in the County of Yolo, California, and intermediate points, over the following route, to-wit:

Starting from terminal at Union Stage Depot at 5th and I Streets, Sacramento; thence along 5th Street South to I Street; thence West on I Street to 2nd Street; thence along 2nd Street North to I Street; thence West on I Street to Southern Pacific Bridge over Sacramento River; thence across said bridge West to 3rd and Ann Street in Broderick; thence over Ann Street West to 5th Street; thence South over 5th Street to Tunnel under Sacramento Northern Railroad Tracks; thence west along Davis Highway to intersection of Highway leading to Westgate; thence in a Southwesterly direction along County Highway to terminal at intersection of Michigan Boulevard and 15th Street in Westgate or West Sacramento;

returning by same route to 2nd and I Streets in Sacramento City; thence East on I Street to terminal at 5th and I Streets, Sacramento, California.

A public hearing on said application was conducted before Examiner Satterwhite at Sacramento, the matter was submitted, and is now ready for decision.

Applicant proposes to charge rates and to operate on a time schedule, in accordance with amended exhibit "A" and exhibit "B" attached to said application, and to use the equipment described in exhibit "C" attached thereto.

Sacramento Northern Railroad Company appeared at the hearing, but, in view of the amendments to said application, withdrew all opposition to the same.

Several witnesses testified in support of the proposed service. The evidence shows that there is no street car service now operating between Sacramento and Westgate and that there is no street car service or bus service between Sacramento and Broderick or Sacramento and Riverbank in the County of Yolo, and that the only service between Riverbank and Sacramento is an electric railway which operates to Woodland on a two hour schedule. It appears that there was a street car service formerly in operation between Sacramento and Westgate, which has been discontinued, after authority duly obtained from this Commission.

The territory proposed to be served between Broderick and Westgate and vicinity is being rapidly settled and is in much need of motor bus transportation to and from the City of Sacramento. It appears, without contradiction, that this proposed bus service will be a great inconvenience to the inhabitants of Broderick, Westgate and the surrounding territory.

The record shows that one Frank L. Schmidt was the original applicant in this proceeding and the record contains a written assignment offered in evidence during the hearing of said application, which shows that said Schmidt for a valuable consideration did on the 6th day of February, 1926, sell, assign and transfer to said applicant, Victoria Misetich, all his right, title and interest in and to said application.

After a careful consideration of all the evidence, we are of the opinion and hereby find as a fact that public convenience and necessity require the proposed service and the application should be granted.

O R D E R

A public hearing 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 finding of fact which appears in the opinion preceding this order,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Victoria Misetich of an auto stage line as a common carrier of passengers between the City of Sacramento, California, and Broderick and Westgate, in the County of Yolo, California, and intermediate points, over the following route, to wit:-

Starting from terminal at Union Stage Depot at 5th and I Streets, Sacramento; thence along 5th Street South to I Street; thence West on I Street to 2nd Street; thence along 2nd Street North to I Street; thence West on I Street to Southern Pacific Bridge over Sacramento River; thence across said bridge West to 3rd and Ann Street in Broderick; thence

over Ann Street West to 5th Street; thence South over 5th Street to Tunnel under Sacramento Northern Railroad Tracks; thence west along Davis Highway to intersection of Highway leading to Westgate; thence in a Southwesterly direction along County Highway to terminal at intersection of Michigan Boulevard and 15th Street in Westgate or West Sacramento; returning by same route to 2nd and I Streets in Sacramento City; thence East on I Street to terminal at 5th and I Streets, Sacramento, California.

IT IS HEREBY ORDERED that a Certificate of Public Convenience and Necessity be and the same is hereby granted to Victoria Missetich, for the service hereinabove described, subject to the following conditions:

1. Applicant shall file her 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 within a period of not to exceed twenty (20) days from date hereof, such tariff of rates and time schedules to be identical with those attached to the application 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 applicant herein unless such vehicle is owned by said applicant or is leased by her under a contract or agreement on a basis satisfactory to the Railroad Commission.

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

Dated at San Francisco, California, this 2nd day of April, 1926.

H. B. Anderson
C. C. Cheney
Frank J. Smith
Leon A. Wilson