

Decision No. 16451

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
the San Rafael Freight & Transfer)
Company, Inc. for a Certificate of)
Public Convenience and Necessity to)
Operate Vessels for the Transport-)
ation of Property between points)
upon the inland waters of the State)
of California, as set forth in the)
Application.)

APPLICATION NO. 12535

Gwyn H. Baker, for Applicant.

BY THE COMMISSION:

O P I N I O N

This is an application filed by the San Rafael Freight & Transfer Company, Inc. 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 property between San Francisco, Sausalito, Belvedere, Tiburon, California City and San Rafael, and also between Belvedere, Tiburon, California City and Sausalito, as set forth in the application and as amended.

The service between San Francisco, Sausalito, Belvedere, California City and San Rafael will be rendered for the purpose of transporting general freight, and between Belvedere and Tiburon and Sausalito principally for the transportation of fish, although some other freight will be handled.

A public hearing was held before Examiner Geary at San Francisco April 5, 1926 and the case having been duly heard and submitted is now ready for our opinion and order.

Applicant is operating vessels at the present time for the transportation of property between San Francisco, Sausalito and San Rafael in conjunction with a motor truck service between the latter point and Santa Rosa and the points intermediate thereto. This service has been in operation by applicant since August 30, 1923, but insofar as it involves the operation of the vessels has been conducted without specific authority of this Commission, due to a misunderstanding of the requirements of paragraph (d), section 50, of the public Utilities Act. Prior to August 30, 1923 these operations were being lawfully conducted by a copartnership consisting of R. H. Clark and A. H. Marx, under the fictitious name of the San Rafael Freight & Transfer Company. In the early part of 1923 a corporation was formed to take over the operations of the copartnership and authority was secured from this Commission in Application 9135, Decision No. 12519, dated August 22, 1923 to transfer to the corporation these rights insofar as they involved the operation of auto trucks from and to points beyond San Rafael, but through an oversight no authority was requested by the corporation for a certificate of public convenience and necessity to operate vessels between San Francisco and Sausalito-San Rafael.

Applicant now seeks a certificate to continue the water carrier operations of the San Rafael Freight & Transfer Company, Inc. between San Francisco and Sausalito-San Rafael and in the operation of this service to also land at Belvedere, Tiburon and California City. The latter three points have never been served, although

they are located between, and directly intermediate to, Sausalito and San Rafael.

Witness for applicant testified that the Union Fish Company of Belvedere forwarded fish from that point to Tiburon and Sausalito for subsequent shipment to points in the eastern States and also a considerable tonnage of general freight for the maintenance and operation of the plant. At the present time the fish company is using its own equipment, but the record indicates that this arrangement has proven unsatisfactory and applicant has been requested to perform this service.

A lumber company will soon establish storage and fabricating yards at California City, will employ a large number of men and move a substantial tonnage. That point is not served by any rail or boat line and request has been made to applicant to provide a common carrier service thereto.

Upon consideration of all the facts of record, we are of the opinion and find that public convenience and necessity require the operation by applicant of vessels for the transportation of property between San Francisco, Sausalito, Belvedere, Tiburon, California City and San Rafael.

ORDER

A public hearing having been held in the above entitled proceeding, the application having been 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 applicant, San Rafael Freight & Transfer Com-
pany, Inc., of vessels for the transportation of property, for
compensation, on the inland waters of the State of California
between San Francisco, Sausalito, Belvedere, Tiburon, California
City and San Rafael under the rates, rules and regulations shown
in Exhibit "B" of 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 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 as set forth in Exhibit "B" of the application and as
amended.

Dated at San Francisco, California, this 9th day
of April, 1926.

L. H. B. ...
C. C. ...
Ernest ...

Commissioners.