

Decision No. 17845

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
WEST COAST TRANSIT COMPANY, a corporation,)
for a certificate of public convenience)
and necessity authorizing the operation)
of automotive passenger stage service)
between Oakland, Richmond and intermediate)
points on the one hand and San Quentin,)
San Rafael and intermediate points on the) Application
other hand in conjunction with and as a) No-11458
part of its existing authorized stage)
operation between San Francisco, Eureka,)
Crescent City, Red Bluff and other points)
now served by said corporation.)

H.C.Nelson and Chas. A.Beck, for Applicant,
Brobeck, Phleger & Harrison, by Frank S.Richards,
for Key System Transit Company, Protestant,
R.W.Palmer and J.J.Coary, for Northwestern
Pacific Railroad Company, Protestant,
Earl A. Bagby, for California Transit Company,
Protestant,
E.W.Hollingsworth for Oakland Chamber of Commerce,
C.E.Peterson, for Southern Pacific Company, Protestant,
Devlin & Brockman, by Douglas Brockman, for
Santa Rosa, Petaluma, Sausalito Auto Stage Company,
Chas. W. Byrnes, for San Quentin Stage Company,
Protestant.

BY THE COMMISSION -

O P I N I O N

West Coast Transit Company, a corporation, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by it of an automobile stage service for the transportation of passengers between Oakland, Emeryville, Berkeley, Albany, El Cerrito and Richmond Ferry points on the one hand, and San Quentin Ferry Point and San Rafael and intermediate points on the other hand, no local service to be rendered locally between Oakland and Richmond Ferry Point nor between San Rafael and San Quentin Ferry Point.

Applicant seeks authority to operate the requested service in conjunction with and a part of its present authorized service between San Francisco and Eureka, Crescent City and other points.

Public hearings on this application were conducted by Examiner Handford at San Francisco, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked "Exhibit A" as filed with the application herein; to operate on a schedule of two round trips daily; and to use equipment of the same type now operated on its line between San Francisco and Eureka or other equipment of an equivalent standard.

Applicant relies as justification for the granting of the desired certificate upon the following alleged facts: (1) that there are at present over 300,000 people residing in the so-called East Bay Territory; (2) that there is considerable passenger traffic moving between the East Bay Territory and points in northern California which are served by applicant's authorized lines and that passengers are now obliged to use street cars in the East Bay Territory to the Southern Pacific Company or Key System Transit Company ferry and after the ferry trip to San Francisco are compelled to use street cars, or other conveyances, to reach the San Francisco terminal of the applicant at Fifth and Mission Streets; (3) that the inauguration of the proposed service will result in a considerable saving in time for the public by reason of a connecting stage being operated from San Rafael and routing the "East Bay" traffic direct over the Richmond-San Rafael Ferry and directly over the highway to the various East Bay communities; (4) that at the present time, by reason of the absence of transportation facilities as proposed, the passenger traffic is obliged

to follow a circuitous route, either via San Francisco or Sausalito requiring much time and frequent changes; (5) and that applicant is aware of a considerable demand on the part of the public for the establishment of the direct and through service between the East Bay territory and the northern California points reached by applicant's existing service.

Mr. Burr P. Mc Connaha, President and General Manager of applicant, testified that the proposed service would be operated solely in connection with the north and south bound main line schedules on the authorized route, connections being made at San Rafael; that the Oakland-Eureka rates would be the same as the existing San Francisco-Eureka rates; and that the Oakland terminus would be located at some convenient point in the business portion of that city. This witness described the development now under way in Lake County and at other points, due principally to the opening of the Redwood Highway which has resulted in the establishment of many new hotels and summer resorts. By personal contact with the traveling public at his Eureka office, witness is familiar with inquiries for the establishment of the proposed service, such inquiries having averaged approximately one per day during the season of summer and vacation travel. He had made no investigation as to the demand for service as existing in the East Bay Territory, knew of no demand for service between Oakland and San Rafael, nor of any inquiry or demand originating in Albany, El Cerrito, Berkeley or Emeryville.

Mr. F. T. Morse, conducting a travel bureau in Oakland, testified that he was formerly employed as a ticket agent by the California Transit Company and while so engaged had received frequent inquiries regarding transportation to Eureka and points on the Redwood Highway. Formerly this business was handled from Oakland via the California Transit Company to a connection with the Dunham Stage Line, which latter line transported passengers to a connection with applicant's line at Hoaldsburg.

This routing was discontinued when applicant acquired the portion of the Dunham Stage Lines which served Healdsburg.

Mr. Emil Iverson, Manager of the Eureka Inn, at Eureka, testified that he had received numerous requests for information regarding stage service from Eureka to East Bay points.

Mrs. E. Antrian, a resident of Oakland and a property owner at Alder Creek, testified that she traveled between Geyserville and Oakland now making the trips via San Francisco and by ferry between that city and Oakland. This witness would use the proposed service if same were authorized.

Mr. Barton Coombs, a resident of Geyserville and a student at the University of California at Berkeley, testified that he now traveled between Geyserville and Berkeley by railroad for the reason that he objected to the transfer necessary via the San Rafael-San Quentin-Richmond route. Witness was of the opinion that he would use the proposed route, if authorized, although stating that if the time were shorter by the train he would continue to use the present train service.

Mr. A. F. Turner, employed as ticket agent for applicant at Eureka, testified that practically two-thirds of the inquiries received by him from the public were regarding service to East Bay points and that he has known of and advised the public regarding the service now available via existing transportation lines between San Rafael, Richmond and the East Bay communities.

Mr. J. E. Benbow, residing at Eureka and Garberville, testified that he was engaged in the development of property near the Redwood Highway and at a point 78 miles south of Eureka. Witness' property is at a point 75 miles from Willits by railroad and 28 miles from South Fork. The witness described the general development along the Redwood Highway since its opening to travel and that no portion of said highway was served by railroad. Witness was constructing a hotel about 3 miles south of Garberville, on the highway, and had knowledge of other and

substantial development which was either contemplated or in progress.

Mr. Fred Hartsook, residing in San Francisco, testified that he had recently constructed a hotel and 33 cottages at a location on the Redwood Highway approximately 84 miles south of Eureka. Witness has already expended approximately \$150,000 in his development work and still has further expenditures in prospect. The proposed extension of service would enable stage passengers to travel to and from his hotel and resort by using the facilities of one company and such condition was considered desirable, although the witness was not familiar with existing routes via San Rafael and San Quentin.

Mr. E. W. Hollingsworth, Commerce Counsel for the Oakland Chamber of Commerce, and Mr. W. L. Miller, Secretary-Manager of the same organization, testified in behalf of applicant. Both witnesses expressed their belief that the proposed service would be a convenience to the residents of the East Bay communities although no specific investigation had been made regarding the proposed or existing service.

Two other witnesses testified in behalf of applicant. These witnesses now travel between Berkeley and Healdsburg and between Oakland and Ukiah, using train service to San Francisco and ferry between Oakland or Berkeley and San Francisco. Both witnesses were of the opinion that the service as proposed would be more satisfactory than the ferry and train service which they were now patronizing.

Mr. R. T. Bettum, a witness for applicant, testified that he was connected with the Clear Lake Beach Company and interested in the development of resort property in Lake County. Clear Lake Beach is now served by applicant via Ukiah. At this point there has been expended over \$350,000 in the erection of a dance pavilion, electric light plant, cafe, 110 modern cottages, and concrete curbing and sidewalks. There are 4400 acres under development

in this project in which 92 miles of highway are to be constructed. Approximately 6500 lots have already been sold. Ninety percent of the business sold has been to Northern California purchasers and witness estimates that of 1500 lots sold, with which he was familiar, 90% were to residents of East Bay communities. The witness further testified that other resort and vacation property was in a similar state of development and that the proposed service would facilitate access to the Lake County resorts via Ukiah.

Mr. Frank Kellist, Superintendent of the Ukiah-San Francisco division of applicant's lines, testified regarding the service now rendered and that extra cars were maintained at Santa Rosa, Ukiah and Willits to care for overloads and peak traffic conditions. Witness stated that he had personally received inquiries for direct transportation to East Bay communities.

The Oakland Chamber of Commerce, by a resolution of its Board of Directors, filed herein as an exhibit, endorses the application.

The granting of this application is protested by Key System Transit Company, Southern Pacific Company, Northwestern Pacific Railroad Company, California Transit Company, and San Quentin Stage Company.

Mr. R. F. Allon, Secretary-Manager of San Quentin Stage Company, testified that during the past four years he had heard of no demand for through service from San Rafael to the East Bay Cities; that his company was now operating on a forty minute headway between Point San Quentin and San Rafael, connecting with the scheduled trips of the Richmond-San Rafael Ferry Company; that the road conditions between San Rafael and San Quentin had been very bad for a long time and were but recently improved. That due to the poor condition of the road the speed over some portions had to be limited to 15 miles per hour. The running time between Point San Quentin and San Rafael is now 15 minutes, and two White busses of 18 passenger capacity are now used to serve the limited patronage offering, an average of 60 to 75 passengers

per day being transported on the 21 scheduled trips. This witness further testified that he kept posted as to the schedules of stage lines operating into San Rafael, and advised passengers as to such schedules when inquiry was made. Witness further stated that he had heard no complaint as to the service or rates of his company and that he had always been willing to participate in through rates with any carrier desiring to establish same. By reason of the limited patronage enjoyed by this company, the addition of any service which would divert any of the business would imperil the ability of this protestant to continue satisfactory service, and operation over indifferent roads has been regularly maintained for many years.

Two witnesses testified regarding the satisfactory service rendered by the line of the San Quentin Stage Company and as to the convenience afforded by such line in connection with the service of the Richmond-San Rafael Ferry. Neither witness knew of any complaint as to inadequacy of service or necessity for additional service.

Mr. Geo. H. Harris, General Manager of Key System Transit Company, described the service available by the lines of his company from the Richmond Terminal of the Richmond-San Rafael Ferry to the cities in the East Bay Territory. At the time of the hearing there were 23 round trips available between the East Bay Territory and San Rafael by the use of the facilities of Key System Transit Company, the Richmond-San Rafael Ferry Company and the San Quentin Stage Company. The service to the Richmond Ferry terminal of the Richmond-San Rafael Ferry was first established on May 1, 1915, and is rendered by certain cars of the Oakland-Richmond line which are operated to the ferry terminals connecting with the ferry service. The communities at Richmond, El Cerrito, Albany, Berkeley and Emeryville are all directly served by this line which terminates at Seventh Street and Broadway.

Oakland. By the use of transfer privileges the entire communities of Oakland, Berkeley and Alameda are served by this combined routing. The expense of operating the service beyond the Standard Oil works at Richmond to form the connection with the Richmond-San Rafael Ferry approximates, under present conditions, \$12,700 per year, and the patronage accorded the line shows an average of 5921 passengers per month during the period April to December, 1925, inclusive.

Witnesses on behalf of protestants, Southern Pacific Company and Northwestern Pacific Railroad Company, testified as to the service offered by their respective companies and as to the frequency of service as regards ability to journey via the ferry schedules between San Francisco and Oakland. Both these protestants claim their existing facilities are ample to care for any demands of traffic and that further service would be supplied if it were justified by public demand; that no complaint has been made by anyone regarding service rates or facilities; and that present travel conditions do not justify the establishment of an additional and competing service over the route as herein proposed by applicant.

A witness for protestant, California Transit Company, testified that his company through its connections handled traffic between Oakland and Santa Rosa. At Santa Rosa connection is now made with the Eureka-San Francisco line of applicant. Checks of travel during the months of January and September, 1925, show the following business to have been handled:

<u>From</u>	<u>To</u>	<u>Month</u>	<u>No. Passengers</u>	
			<u>Oneway</u>	<u>Round Trip</u>
Oakland	Santa Rosa	Jan. 1925	4	2
"	" "	Sept. 1925	16	4
Sacramento	Santa Rosa	Jan. 1925	66	3
"	" "	Sept. 1925	98	0
Santa Rosa	Oakland	Jan. 1925	15	0
" "	" "	Sept. 1925	12	0
Santa Rosa	Sacramento	Jan. 1925	108	0
" "	" "	Sept. 1925	216	0

Three round trips daily are scheduled between Oakland and Santa Rosa by connection at Napa with the lines of the Dunham Stages. Travel statements were filed as exhibits by this protestant showing many vacant seats available on schedules originating and terminating at Oakland.

We have given careful consideration to the evidence and exhibits herein.

Applicant proposes a service of two round trips daily between Oakland and San Rafael, connecting at the latter point with its main line stages as regards service to and from points north of San Rafael. No need has been shown for any local service between Oakland or intermediate points to San Rafael and no showing has been made that would justify the establishment of a duplication of existing service in order to care for such through passengers who might desire to use the facilities of this applicant between Oakland and points on the applicant's line north of Windsor, it having been stipulated that no through passengers would be handled originating at or destined to points south of Windsor. The territory proposed to be served is amply supplied with transportation against which service there has been no complaint. A combination of the facilities of the Key System Transit Company, the Richmond-San Rafael Ferry Company, and the San Quentin Stage Company offers 23 round trips daily as compared to applicant's proposal of two round trips.

The following comparison of fares shows that the rates via the existing route are most favorable for the public -

Between San Rafael and	Railway, Ferry and Bus	Applicant's proposed Rate
Oakland	51	55
Emeryville	51	50
Berkeley	51	45
Albany	51	45
El Cerrito	45	45
Richmond Ferry Point	33	35

The fare via existing lines includes transfer privileges on the traction lines of the Key System Transit Company, enabling patrons to originate at or reach destinations in sections of Berkeley, Emeryville, Albany, Alameda and Oakland without additional cost. Patrons of the proposed service, unless boarding stages of the applicant at its Oakland Terminal or along the route, would be required to pay a minimum of 7 cents or the local street car fare of the Key System Transit Co.

In addition to the direct service now available to the public between the East Bay territory and San Rafael there is abundant service via San Francisco and Sausalito. Prospective patrons of applicant's stage line can avail themselves of over one hundred round trips of the combined suburban train and ferry service as operated by the Southern Pacific Company and Key System Transit Company. The public desiring to journey by train have available the schedules of the Northwestern Pacific Railroad Company with two round trips daily between San Francisco and Eureka, and in addition one round trip to each Ukiah and Healdsburg.

We find no evidence as to any demand on the part of the public for the establishment of the proposed service indicating that it would be patronized to the extent of defraying the bare cost of operation. The existing service is ample and is available to the public at a lesser rate than is herein proposed by applicant. It is therefore our conclusion from consideration of the record herein, and we hereby find as a fact that no showing of public convenience and necessity has been made by applicant which would justify the granting of the application.

O R D E R

Public hearings having been held on 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 as appearing in the Opinion which precedes this Order,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY

DECLARES that public convenience and necessity do not require the operation by West Coast Transit Company, a corporation, of an automobile stage line for the transportation of passengers between Oakland, Richmond and intermediate points on the one hand and San Quentin, San Rafael and intermediate points on the other hand in conjunction with and as a part of applicant's existing authorized stage operation between San Francisco, Eureka, Crescent City, Red Bluff and other points now served by said applicant, and

IT IS HEREBY ORDERED that this application be and the same hereby is denied.

Dated at San Francisco, California, this 6th day of

January, 1927.

W. H. Brundage
C. C. Beach
Edward J. ...
Leon ...
Thos. ...
COMMISSIONERS.