

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
NAPA VALLEY TRANSIT COMPANY for a)
certificate of public convenience and) Application No. 11029
necessity to operate automotive stage)
service between San Francisco and Napa)
and intermediate points.)

Chas. A. Beck for Applicants,
A. T. Hatch for Monticello Steamship Company, Protestant,
J. J. Deuel for California Farm Bureau Federation,
Edward Stern for American Railway Express Company,
Protestant,
H. W. Hobbs and C. E. Peterson for Southern Pacific
Company, Protestant,
Earl A. Bagby, for California Transit Company, Protestant,
R. W. Palmer and W. J. Cummings, for Northwestern Pacific
Railroad Company, Protestant,
Devlin and Brookman, by Douglas Brookman, for Pacific
Auto Stages, Protestant,
John Coleman for Napa Chamber of Commerce,
A. Walter Allen, for San Rafael-Sonoma Valley Auto. Stage
Line, Protestant,
R. T. Mc Glynn, for certain protesting petitioners of
Sonoma Valley,
Wallace Weir, for Santa Rosa-Petaluma-Sausalito Stage
Line, Protestant,
John T. York, for San Francisco, Napa and Calistoga
Railway,
A. T. Haskell for Town of St. Helena, and St. Helena
Chamber of Commerce.

BY THE COMMISSION -

O P I N I O N

E. H. Mount and Harold H. Haddon, co-partners doing
business under the fictitious name and style of Napa Valley
Transit Company, have petitioned the Railroad Commission for an
order declaring that public convenience and necessity require
the operation by them of an automobile stage line as a common
carrier of passengers and express between San Francisco,
Sausalito, San Rafael, Ignacio and intermediate points on the
one hand and Black Point, Sears Point, Shellville, Napa and
intermediate points on the other hand.

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

Applicants propose to charge rates in accordance with a schedule marked "Exhibit A" as attached to and forming a part of the application herein; to operate on a schedule of four round trips daily, serving the intermediate points of Sausalito, Corte Madera, Larkspur, Zentfield, San Anselmo, San Rafael, Ignacio, Black Point, Sears Point, Shellville, and Carneros; using as equipment three safety bus type stages, each of 20 passenger capacity.

Applicants rely as justification for the granting of the requested certificate upon the following alleged facts;- (1) that there is an insistent public demand for the establishment of common carrier service by automobile over the route herein sought; (2) that applicants do not allege a necessity for the proposed service between San Francisco, Sausalito and San Rafael nor request a certificate authorizing such local service, but it is alleged that a public need exists for the establishment of a through service to carry passengers between San Francisco, San Rafael and Ignacio on the one hand and Black Point, Napa and intermediate points on the other hand; (3) and that no existing authorized carriers render service between the points proposed to be served, except by an indirect and joint service.

Mr. Emery H. Mount, one of the co-partners, testified regarding his investigation in San Francisco, Sausalito, San Rafael, San Anselmo, Napa and points along the route, from which he had concluded the inauguration of the service would be a profitable venture. The express service would be needed principally for the transportation of automobile parts and supplies. Witness stated that it was the intention, if a certificate were to be

granted, to form a corporation, said corporation to acquire the operative right. No stock is to be sold to the public, it being the intention to use the stock as collateral to secure notes which are to be issued in connection with the purchase of equipment.

Mr. John Simpson, employed as a ticket clerk at the Union Stage Depot, Fifth and Mission Streets, San Francisco, testified he had received 3 or 4 verbal requests and 6 to 8 telephone inquiries daily for stage service to Napa and intermediate points which would be served by the proposed line; and that requests for express service to Napa had also been received.

Mr. L. E. Ferguson, employed as relief agent at the Union Stage Depot, Fifth and Mission Streets, San Francisco, and formerly agent at Vallejo for California Transit Company, testified regarding his receipt of from 3 to 5 inquiries daily for transportation to Napa and intermediate points during the days he was on relief duty; that in his former employment at Vallejo inquiries were often received, particularly from commercial travelers, regarding service between Napa and Marin County points.

Mr. M. C. Brockway, employed as Traffic Director for Peninsula Rapid Transit Co., at the Union Stage Depot, Fifth and Mission Streets, San Francisco, testified as to receiving two or three telephone inquiries weekly, and two or three personal requests daily for passenger service to Napa and intermediate points, but did not recall any requests for parcel or express service.

Mr. Jack D. Prince, a ticket agent for sightseeing tours, located at 44 Fourth Street, San Francisco, also testified as to inquiries received by him for stage service to Napa direct from

San Francisco and by stipulation it was agreed that the testimony of Mr. W. E. Shackelford, employed as ticket agent at the Union Stage Depot, San Francisco, would be the same as that of other witnesses employed at such station.

Mr. R. L. Huntley, a salesman for the Marin County Motor Company, residing at San Rafael; Mr. Caesar Rodoni, a resident of San Francisco and owning property at Black Point; Mr. B. L. Washburn, a resident of San Rafael; Mr. J. W. P. Glascom, a traveling salesman residing at Napa; Mr. S. G. Lisher, a furniture dealer in Napa; Mr. Frank G. Johnson, in the garage and automobile business at Napa; Mr. R. D. Bergin, residing at San Anselmo; Mr. E. Ford, Mr. T. F. Tanford, Mr. C. R. Potter and Mr. P. M. Mc Guire, residing at Shellville on the Black Point cut-off; Mr. W. J. Dwyer, residing at Agnew, and making weekly trips, San Francisco to Napa; and Miss Fern Dimfel, residing at San Francisco, testified in behalf of applicants, stating that they would use the proposed service if same were to be authorized, each having objection to the existing authorized transportation facilities and believing the proposed service to offer a more convenient and expeditious method of transportation for their respective needs.

Mr. Geo. A. Kupman, in the automobile parts business at San Francisco, testified that he forwarded merchandise to points located on the proposed route, and would utilize the service of applicants for the transportation of packages.

Mr. W. A. Vreeland, residing at Napa, and one of the proprietors of the Connor Hotel in that city, testified as to inquiries received at his hotel for transportation to Marin County points, particularly from eastern traveling salesmen on their spring and fall trips into the Napa territory. Witness receives some express shipments from San Francisco but the bulk of his shipping requirements are cared for by freight or parcel post service.

Mr. Frederick Rhodes, proprietor of the Hotel Brown at Napa, testified he had used his private automobile to transport passengers from Napa to Shellville and to Marin County points; that he received frequent inquiries at his hotel for information as to methods of transportation to Marin County points and had, during the previous six months, transported in his own conveyance and without charge 12 to 15 people from Napa to San Rafael, some of whom were destined to San Francisco. It appeared, however, that in the majority of instances the trips were made during the evening hours, and as the last schedule proposed by applicants leaves Napa at 6:15 P.M., no accommodation would be offered such prospective patronage.

The granting of the application is protested by Monticello Steamship Company, American Railway Express Company, Southern Pacific Company, California Transit Company, San Rafael-Sonoma Valley Auto Stage Line, San Francisco, Napa and Calistoga Railway, Pacific Auto Stages, Northwestern Pacific Railroad Company, St. Helena Chamber of Commerce, and other individuals of the communities proposed to be served.

The protesting carriers, rail, stage and steamship, contend that the existing transportation service adequately serves the communities sought to be served by the proposed stage line, and that the facilities of existing lines are sufficient to properly care for the public needs; that no new business will be created by the establishment of the proposed service but that traffic now being handled by existing carriers will be diverted from present routes. Exhibits were filed showing existing routes, rates and service available. From these exhibits it appears that for the through business between San Francisco and Napa, there are now available, by the combined schedules of existing carriers, 16 round trips daily.

Mr. G. E. T. Jackson, President of Napa Soda Company, residing in San Francisco, testified the combined service of the Monticello

Steamship Co., and San Francisco, Napa and Calistoga Railway between San Francisco and Napa was satisfactory and adequate. This witness uses his own automobile for his trips between Napa and Marin County points and would use the proposed stage service, if authorized, if his automobile was not available.

Mr. John M. Mount, in the real estate and insurance business at Napa, testified as to his satisfaction with the existing service between Napa and San Francisco, but was not satisfied with the circuitous service now available between Napa and Marin County points.

Mr. D. L. Beard, an Attorney in San Francisco and residing at Napa, testified that the normal service conditions were satisfactory as regards his trips between San Francisco and Napa via the Monticello Steamship Company and the San Francisco, Napa and Calistoga Railway. This witness would use the proposed stage service between Napa and San Rafael, although stating that his trips between such points were infrequent.

Mr. W. E. Nelson, a resident of Anglyn, President of Pacific Union College, an institution with 400 students, and a member of the Board of Trustees of St. Helena Sanitarium, an institution with 200 patients and attendants, described the transportation available in Napa Valley and expressed his satisfaction with the facilities afforded by the electric line of the San Francisco, Napa and Calistoga Railway and its connections, believing that there was no necessity for the establishment of the proposed stage line.

Mr. F. A. Randall, residing at Napa and President of Napa County Farm Bureau, an organization having 500 members, testified that the farmers of Napa Valley were principally interested in the continued maintenance of the present freight and express facilities as afforded by the existing carriers, and that the service now available was satisfactory. Similar satisfaction with existing service was stated by Mr. H. D. Williamson, a resident of Napa

and Vice President of the Napa County Farm Bureau; Mr. Henry Brown, President of the Bank of Napa; Mr. J. D. Cochran, Manager of a Finance Company and President of the Napa Chamber of Commerce; Mr. J. E. Beard, Manager of Winship-Beard Company, a large department store at Napa; Mr. Albert G. Haskell, orchardist at St. Helena and President of the St. Helena Chamber of Commerce; Mr. F. M. Barris, Manager of the branch bank of Mercantile Trust Company at Sonoma; Mr. H. F. Bates, merchant of Sonoma; Mr. O. H. Brandt and Mr. R. L. Watt, farmers residing at Shellville; Mr. F. B. Makinder, Editor of St. Helena Star; and by stipulation Mr. Roy Laveria, President of Calistoga Chamber of Commerce; Mr. Lee Boggs; Mr. A. E. Smith, Mr. William Thompson and Mr. Fred Williams.

A questionnaire was mailed by the Directors of the Chamber of Commerce of Napa to its members requesting an expression as to the necessity for the proposed service and the responses received registered 17 in favor and 89 against the establishment of the line.

A petition signed by 192 residents of Shellville, Black Point, Sears Point, San Rafael, Ignacio and points along the proposed route was filed as an exhibit, said petition endorsing the service of the protestant San Rafael-Sonoma Valley Auto Stage Line and protesting the granting of the application. The petition alleges that the present service is satisfactory; that the granting of the application would interfere with the satisfactory service now rendered by the existing stage line; and that there is no need or necessity for the establishment of the proposed line.

Counsel for protestants directed attention to the alleged inadequate showing as to the financial ability of applicants to undertake the proposed service in the event a certificate should be granted, and that the real parties in interest were not before the Commission seeking the certificate. The record shows from the testimony of applicant Mount, that the partnership now has

available \$2000 in cash and can secure additional funds. Applicant Eaddon testified as to his possession of \$1000 to be contributed as his portion of the partnership funds; that he expected to give a joint note with applicant Mount for any funds which were to be borrowed, and that he expected to pay his proportion of the note if the business venture proved unsuccessful. Mr. Albert R. Smith of Campbell testified as to his willingness to aid applicants to the extent of \$10,000 and to accept stock in the proposed company for such amount. Mrs. R. J. Aylward, residing at Agnew State Hospital, testified that she would aid in the financing of the proposed venture to the extent of \$23,000, proposing to advance funds only in the event that the certificate be granted, although expecting no personal interest in the business. An agreement dated June 15, 1925, was introduced as an exhibit by the terms of which applicants agree with Albert Smith, Richard J. and Ora Aylward to immediately form a corporation to take over and thereafter operate the proposed stage line in the event a certificate should be granted, to secure the authorization of this Commission for the issue of stock, and to pro-rate such stock in accordance with the actual cash advanced by each of the parties to the agreement. From the record herein it is apparent that the operation of the stage line, if certificate were to be granted, would be conducted by a corporation proposed to be formed for the purpose of financing and operating such service.

We have given careful consideration to all the evidence and exhibits in this proceeding.

It appears that a direct service between Napa and San Rafael would be advantageous to a limited number of passengers, particularly those residing in the sparsely settled territory between Napa and Ignacio. The volume of travel is negligible and the prospective users of such a service are limited in number, and the successful operation of the proposed line, both for the public and for the applicants, could only be made possible, under

