

Decision No. 18788

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
EDW. H. WHITE for a certificate of)
public convenience and necessity to)
operate vessels for the transporta-) Application No. 13879.
tion of property for compensation)
between points upon the inland waters)
of the State of California.)

Fred L. Dreher and J. E. McClellan, for
Applicant.
Sanborn & Roehl & DeLancey C. Smith, by
H. H. Sanborn, for California Transportation
Company, Bay Cities Transportation Co.,
Erikson Navigation Company, and
Sacramento Navigation Company.
Gwyn H. Baker, for Bay & River Boat Owners' Assn.,
Berkeley Transportation Company,
E. V. Rideout Company and Richmond
Navigation & Improvement Company.

BY THE COMMISSION:

O P I N I O N

The applicant herein requests permission to operate vessels between all points on the Sacramento River and its tributaries on the one hand, and Suisun, San Pablo and San Francisco bays on the other hand, and between all points on the San Joaquin, Mokelumne, Old and Middle Rivers, and their tributaries on the one hand, and all points on Suisun, San Pablo and San Francisco bays on the other hand, and between all points on the Suisun and San Pablo bays on the one hand, and San Francisco Bay on the other hand.

A public hearing was held before Examiner Vaughan at San Francisco, the matter was duly submitted and is now ready for decision.

It is clearly shown from the record that the proposed service is essential for the transportation of certain of the agricultural products of the San Joaquin and Sacramento valleys to market at San Francisco. The applicant proposes to reach points not served by any other carrier by vessel, particularly the points located on shallow waters which applicant can reach by reason of the fact that the vessels to be used by him are constructed for shallow water operations.

At the outset of the hearing, California Transportation Company, Bay Cities Transportation Company, Erikson Navigation Company, Sacramento Navigation Company, Bay & River Boat Owners' Association, Berkeley Transportation Company, E. V. Rideout Company and Richmond Navigation & Improvement Company appeared in protest of the application, but later withdrew such protests and, through their respective counsel, recommended that the application be granted.

It appears to us that the interest of the public will best be served by the granting of the application. An order will be entered accordingly.

O R D E R

Application as above named and numbered having been filed with this Commission, a public hearing having been had thereon, the matter having been duly submitted and being now ready for decision,--

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the operation by EDW. H. WHITE of vessels for the transportation of property for compensation upon the inland waters of the State of California as follows:

Between all points on the Sacramento River and its tributaries on the one hand, and Suisun, San Pablo and San Francisco bays on the other hand; and between all points on the San Joaquin, Mokelumne, Old and Middle Rivers and their tributaries on the one hand, and all points on Suisun, San Pablo and San Francisco bays on the other hand, and between all points on the Suisun and San Pablo bays on the one hand, and San Francisco Bay on the other hand.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity covering the points as above named be, and the same is hereby granted to EDW. H. WHITE, subject to the following conditions:

1. Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from the date hereof.

2. Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules, such tariffs of rates and time schedules to be identical with those attached to the application herein marked "Exhibit B," or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from the date hereof. That applicant will not transport commodities other than those named in his tariff of rates attached to his application and marked "Exhibit B."

3. 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.

The effective date of this order shall be
twenty (20) days from the date hereof.

Dated at San Francisco, California, this 13¹⁴ day
of ~~August~~ September, 1927.

Ernesto
Chenery

John D. Rautai

M. J. C.
Commissioners