

Decision No. 14178

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
THE GRAY LINE, INC., to operate a
sight-seeing service from Oakland
via Berkeley and Piedmont and re-
turn to Oakland.

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) Application No. 14039.
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Richard T. Eddy, for Applicant.

BY THE COMMISSION:

O P I N I O N

This is an application by The Gray Line, Inc., for a certificate of public convenience and necessity to operate an automobile sight-seeing service from Oakland, through Berkeley and Piedmont, and return to Oakland.

A public hearing was held before Examiner Gannon at Oakland, at which time the matter was duly submitted and is now ready for decision.

The detail for the proposed route is set forth in the application: Starting at Crabtree's Travel Office, in Oakland, the busses would run on San Pablo Avenue to Berkeley, to the University of California, where stops are made at the Greek Theatre and the Stadium. The route thence is via the Claremont Hotel to Sky Line Boulevard, where another stop is made. From this point the stages return to the starting point

in Oakland by way of Piedmont, Lake Merritt and the business section of Oakland.

The distance over the proposed route is approximately 72 miles and the fare \$2.50 for adults and half rates for children under 12 years of age. Two trips are proposed daily starting at 9:45 a.m. and 1:45 p.m. Applicant reserves the right to cancel any tour unless a minimum of four tickets has been sold. The available equipment is described as two Pageol Parlor Car type sight-seeing busses.

Applicant is now engaged in operating several sight-seeing tours in the surrounding territory, all of them under the jurisdiction of this Commission. The service as outlined above was inaugurated on July 14, 1927. The State Legislature at its last session amended the Public Utilities Act by bringing sight-seeing busses and the regulation thereof within the jurisdiction of the Railroad Commission, and requiring the operators of such service to apply for and secure certificates of public convenience and necessity. The act exempted such automotive carriers as were operating sight-seeing busses on January 1, 1927, or as had operated a seasonal service of not less than three months during the year 1926, and these were directed to file their tariffs and schedules with the Commission prior to August 1, 1927.

It is alleged in the application that heretofore the operation as above described was initiated at San Francisco and conducted over the identical route on the Oakland side, but that there grew up an urgent demand for the same tour starting from and terminating at Oakland.

In support of the application there appeared representatives from three hotels in Oakland, who testified that they had had many inquiries for a service similar to the one

herein proposed.

The secretary of the applicant company likewise testified to the popularity of this tour, as evidenced by repeated requests for the service from tourists and others, particularly during the summer months. He introduced in evidence an exhibit showing a total of over 10,000 passengers carried on the San Francisco to Oakland and Berkeley tour from January 1st of this year to the time such service was discontinued. Testimony offered by the manager of Crabtree's Travel Office, in Oakland, was similar in effect to that of other witnesses. He stated that the requests for this service were constant and appreciable in number.

The traffic manager of the Oakland Chamber of Commerce was authorized to present himself as a witness at the hearing and he also testified as to the desirability of the service herein proposed.

There was no opposition to the granting of the application.

We have given careful consideration to the evidence in this proceeding and are of the opinion that public necessity and convenience require the operation of the service proposed. An order will be entered accordingly.

O R D E R

A public hearing having been held in the above entitled application, the matter having been duly submitted and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require

the operation by The Gray Line, Inc. of an automobile sight-seeing trip from Oakland, through Berkeley and Piedmont and return to Oakland, over and along the following route:

From Crabtree's Travel Office, at 412 - 13 Street, Oakland, along San Pablo Avenue to Berkeley to the University of California; thence through South Berkeley to the Claremont Hotel and Claremont Heights and over the Sky Line Boulevard to Observation Point; thence through Piedmont and via Mandana Boulevard to Lake Merritt, around the lake and through Lakeside Park; thence through the business section of Oakland and return to Crabtree's Travel Office.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for the foregoing service be and the same is hereby granted for the foregoing service, subject to the following conditions:

1. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from 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, 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.
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.
4. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

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

Dated at San Francisco, California, this 23rd day of December, 1927.

Ernesto
Chavez
Leon White
Paul R. ...
M. A. ...
Commissioners.