

Application No. 19598

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
BAY SHORE FREIGHT LINES, a copartner-
ship, for a certificate of public
convenience and necessity to operate
vessels for transportation as a com-
mon carrier of freight for compensa-
tion between points on the inland
waters of the State of California.

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) Application No. 14210.
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Rufus H. Kimball, for Applicant.

Walter H. Robinson, for Highway Transport Company,
and Pioneer-Gibson Express Company, Protestants.

BY THE COMMISSION:

O P I N I O N

Bay Shore Freight Lines, a co-partnership, by and through William Quinby Wright, Frank Chapman Willson, and Godfred Thuesen, as Trustees, has petitioned the Railroad Commission, in accordance with its amended application, for an order declaring that public convenience and necessity require an extension of its transportation service, exclusive of truck service as follows, to-wit: between San Francisco, Oakland and Alameda on the one hand, and the Port of Redwood City in San Mateo County, on the other hand.

Applicant proposes to charge rates in accordance with amended Exhibit "A" attached to said application and made a part thereof.

Public hearings on said application were conducted by Examiner Satterwhite at Redwood City and San Francisco, the matter

was submitted and is now ready for decision.

Highway Transport Company and Pioneer-Gibson Express Company protested the granting of said application.

Applicant now operates an authorized combination water and truck freight service between San Francisco, Oakland and Alameda on the one hand, and Gilroy, San Jose, Los Gatos, Saratoga, Port South Shore, Mountain View, Mayfield, Palo Alto, Los Altos, Sunnyvale, Alviso, Santa Clara, Campbell, Cupertino, Coyote, Morgan Hill, San Martin and intermediate points on the other hand, excluding Redwood City, in San Mateo County.

A considerable number of witnesses consisting of wholesale and retail merchants and operators of manufacturing plants were called by applicant in support of the proposed extension of service.

The evidence shows that applicant proposes to put into operation an additional boat between Redwood City and the Alaska Codfish Company's dock connecting there with their main boat running between San Francisco and Port South Shore. This additional boat, with a capacity of 50 tons, will operate during the night, transporting outgoing and incoming freight and receiving freight on the dock at Redwood City until 5:30 p.m. daily, returning the same night with inbound shipments.

The record shows that although the channel approach to the wharf at Redwood City is quite shallow with a depth of only three or four feet at low tide, applicant will have little or no difficulty in operating this additional boat during the high tide which occurs at least once during the night time.

Albert A. Peters, General Manager of applicant, testified that as a result of numerous interviews with merchants and shippers at Redwood City applicant has assurances that the minimum amount of tonnage to be carried from the commencement of the

extended boat service will run from about 350 to 500 tons a month, two-thirds of which will be south-bound and one-third will be north-bound freight. This volume of immediate business was indicated by the testimony of representatives of various business firms, industries and manufacturing enterprises now located at Redwood City. The greater portion of the south-bound tonnage will be shipped from San Francisco and a small portion from Oakland. General merchandise will constitute a considerable part of the inbound shipments. Factory products of local manufacturers at Redwood City will constitute a substantial portion of the north-bound freight. Many of the industries and factory sites are located on or near Main Street at the foot of which will be located the wharf of the applicant. It appears that frequent shipments from Redwood City are made to vessels going through the Panama Canal and the service of applicant will afford both a delivery and pick-up service at any pier in San Francisco with an extra charge of 5 cents per hundred pounds for deliveries to any dock other than applicant's dock at Pier 23. The testimony of witnesses for applicant shows that there is a wide-spread desire among the merchants and manufacturers of Redwood City for the establishment of the proposed boat service on the basis that direct and over-night shipments can be made, and also that deliveries to the boat can be received at a later hour than is possible at other transportation terminal facilities and that the freight rates are more reasonable.

The Highway Transport Company, protestant, operates between San Francisco and San Jose and other points, serving Redwood City and many other intermediate points and places. Testimony was offered by this protestant to the effect that it operates daily a 12 ton truck to take care of its business at Redwood City and other points further south and that it makes an average of 25 deliveries daily to this community, the south-bound tonnage rarely exceeding

an average of five tons a day. The north-bound tonnage amounts to about three or four tons daily. It appears that the greater part of this tonnage consists of 4th class merchandise and although active solicitation has been made in the past, this protesting carrier admitted that it has been unable to increase its business in this community above the tonnage indicated herein. Some complaints with reference to delayed deliveries and pick-ups were made against the service of this carrier, but the record shows that its rates, which are somewhat higher than the rail carrier's, is a contributing influence against securing a larger patronage at Redwood City.

The Pioneer-Gibson Express Company, protestant, operates an express and freight business between San Francisco and San Jose serving Redwood City and intermediate points. This protestant maintains a warehouse and a regular agent at Redwood City and serves this community with a day and night schedule. The truck on the day schedule, leaving San Francisco at 1:00 p.m., carries exclusively express shipments and the night truck leaving at 3:00 a.m. carries primarily freight shipments, including some express. A pick-up and delivery service is furnished at San Francisco, freight shipments being available at Redwood City at 5:00 a.m. and express matter being delivered after 4:00 p.m. daily excepting Sundays and holidays.

The record shows that the express service of this protestant is not used to any great extent by those shippers and industries at Redwood City which transport primarily large consignments of freight for the reason that its express rates are prohibitive. It appears that the shipments of many of the operators of industrial plants who desire the establishment of applicant's boat service have used largely the existing rail service of the Southern Pacific Company and have only used infrequently the service of this protestant for small consignments of freight. This protestant admitted that the greater volume of its business in and out of Redwood City comes from patrons whose

shipments of merchandise do not fall within the class of heavy shipments, such as heavy hardware, canned goods and heavy factory products, but is largely confined to merchants and small local business concerns.

We have carefully considered all the evidence in this proceeding and are of the opinion and hereby find as a fact that public convenience and necessity require the extended boat service as proposed by applicant and the application should be granted.

O R D E R

Public hearings 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 extension by Bay Shore Freight Lines, a co-partnership, by and through William Quinby Wright, Frank Chapman Willson and Godfred Thuesen, as Trustees, of its present boat service, exclusive of truck service, as follows, to-wit: between San Francisco, Oakland and Alameda on the one hand, and the Port of Redwood City in San Mateo County, on the other hand.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said Bay Shore Freight Lines, a co-partnership, for the operation of the service hereinabove described, 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 19th day of April, 1928.

Leon Whitell
Chairman

M. A. Cant
Commissioners.