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20501 Decision No.

BEFORE THE RAILROAD COLLISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of SOUTHERN PACIFIC COMPANY for authority to discontinue operation)
of Trains Nos. 154 and 157 between
South Vallejo and Calistoga and trains) Application No. 14,758 Nos. 166-167; 170-171; 168-169 and 172-173 between South Vallejo und Suisun-Fairfield, California.

In the Matter of Application of SOUTHERN PACIFIC MOTOR TRANSPORT COM-PLAY for a certificate of public convenience and necessity to operate a motor vehicle service between Crockett and Calistoga and between Napa-Suisun Forks (Sacramento Junction)) and Suisum, as a common carrior of passengers and their baggage and for express of the American Railway Express Company, in substitution for Southern Pacific Trains Nos. 154 and 157, and Nos. 166-167, 170-171, 168-169, 172-173, between the points mentioned above, and to consolidate the rights herein sought with its operations between Mapa and Santa Rosa; and to

)Application No. 14,760

In the Matter of the Application of CALIFORNIA TRANSIT CO., a corporation for a certificate of public convenience and necessity for the operation of an automobile stage line for the transportation of persons and express between Vallejo and Calistoga,) California, and intermediate points.

reopen Application No. 14,086.

)Application No. 14.898

In the Matter of the Application of)
SOUTHERN PACIFIC COMPANY for authority
to discontinue operation of its)
ferry steamer service between Vallejo
Junction, in Contra Costa County, Application No. 14,085
and South Vallejo terminal and the)
Georgia Street Wharf, in Vallejo,
in Solano County, California.

In the Matter of the Application of) SOUTHERN PACIFIC MOTOR TRANSPORT COMPANY for a certificate of public) convenience and necessity to operate motor vehicle service for the trans-) portation of passengers, baggage and express as a common carrier bet-) ween Southern Pacific Company's stations at Crockett and Vallejo, etc.

Application No. 14,086

BY THE COMMISSION:

INTERLOCUTORY ORDER

During one of the hearings in the above entitled matters when California Transit Company, applicant in Application No. 14,898, offered testimony in support of its application, objection was made to its introduction by San Francisco, Wapa & Calistoga Railway Company upon the ground that the issues involved had already been disposed of by the Commission in Decision No. 18,217 in Application No. 12,510 and that, therefore, the subject matter was res judicata. San Francisco, Wapa & Calistoga Railway Company also moved to dismiss this application upon the same ground.

In Application No. 12,510, above referred to, the Commission denied the application of California Transit Company for a certificate similar to that here applied for, upon the grounds stated in its Decision and Order No. 18,217, and upon the facts existing at that time. Since the rendition of that

decision Southern Pacific Company has applied for authority to abandon certain train operations in the territory here involved and Southern Pacific Motor Coach Company has made application for authority to operate busses in substitution of the abandoned train operations. California Transit Company has appeared in protest to the abandonment and substitution as proposed and has filed its application for authority to render a passenger bus service.

In view of these facts and of the changed conditions we feel that the California Transit Company is entitled to be heard in connection with its application, for which reason we think the above referred to motions should be denied.

WHEREFORE, IT IS MERREY ORDERED that the motion of San Francisco, Napa & Calistoga Railway Company made for the purpose of preventing the admission of tostimony by the California Transit Company in support of its Application No. 14,898 be and the same is hereby denied.

IT IS HEREBY FURTHER ORDERED that the Motion of San Francisco, Mapa & Calistoga Railway Company to dismiss Application No. 14,898 be and the same is hereby denied.

Dated at San Francisco, California, this 1977 day of November, 1928.

Commissioner