

Decision No. 21397

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Pickwick Stages System, a corporation, successor in interest to Auto Transit Company, and Auto Transit Company, a corporation, for permission to abandon its automobile stage service between San Francisco and Menlo Park, California.

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Application
No. 15814.
)

BY THE COMMISSION:

OPINION and ORDER

ORIGINAL

This is a joint application by Pickwick Stages System and Auto Transit Company, each of which is a corporation, for an order of the Commission authorizing Auto Transit Company to discontinue automotive passenger stage service between San Francisco and the community at Menlo Park which service has been performed by Auto Transit Company in connection with its through service between San Francisco and Santa Cruz, passengers between San Francisco and Menlo Park being carried if and when there were vacant seats on its through stages, but not otherwise.

Pickwick Stages System recently applied to the Railroad Commission for an order approving the purchase by it of the operating rights of Auto Transit Company and authorizing their consolidation with the main Pickwick service. By Decision No. 21288, dated June 27, 1928 and issued on Application No. 15569, the Commission approved said transfer, the order of approval, however, to become effective only upon the filing by Pickwick Stages System, as successor in interest to Auto Transit Company, of an application requesting authority to discontinue the San Francisco-Menlo Park service, which service was, apparently through an inadvertance, authorized by Railroad Commission's Decision No. 16609 issued on Application No. 11726.

The records of the Commission show that during the hearing on Application No. 11726, Auto Transit Company had entered into a stipulation with protestants Peninsula Rapid Transit Company and

Pacific Auto Stages, Inc., operators serving the territory between San Francisco and San Jose, Menlo Park being an intermediate point, whereby Auto Transit Company agreed that no local service would be performed by it between San Francisco and Cupertino and points intermediate thereto, one of them being Menlo Park. Thereupon the protestants withdrew opposition to the granting of the certificate. The order of the Commission authorized service between "San Francisco and Los Gatos and the intermediate points of Menlo Park, Cupertino and Saratoga".

At the hearing on the Pickwick Stages System application to purchase and acquire Auto Transit Company's rights, Peninsula Rapid Transit Company and Pacific Auto Stages, Inc. protested the transfer, agreeing, however, to withdraw its protest if the applicant companies would waive the right to serve Menlo Park locally to and from San Francisco. This both companies agreed to do, later filing a stipulation in the matter. The instant application was also agreed upon.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted, with the understanding, however, that the order herein shall not be construed as authority to change or alter in any way, except as herein specifically provided for, the Auto Transit right between San Francisco and Santa Cruz.

IT IS HEREBY ORDERED that Auto Transit Company be and it is hereby authorized to discontinue operation of its automotive passenger stage service between San Francisco and Menlo Park, and

IT IS HEREBY FURTHER ORDERED that Auto Transit Company shall immediately make such tariff filings as are necessary and as are required by General Order No. 79.

Dated at San Francisco, California, this 29th day of July
1929.

Thomas B. Stewart
Cl. Stewart
Leon Whipple