

Decision No. 23534.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the investigation on the Commission's motion into the filing of time tables and of posting notices of changes in the arrival and departure of regular ferries or vessels engaged in the transportation of persons and/or automotive vehicles between points on the inland waters of California.

Case No. 2997.

R. S. Myers, for Southern Pacific-Golden Gate Ferries, Ltd.

A. A. Bowman, for California Transportation Company.

H. P. Melinkow, for California Marine Council.

SEAVEY, COMMISSIONER:

O P I N I O N

This is an investigation on the Commission's own motion to establish, by general order, rules governing the filing of time tables and of posting notices of changes in the arrival and departure of regular ferries or vessels engaged in the transportation of persons and/or vehicles between points on the inland waters of California.

A public hearing was conducted on this proceeding at San Francisco on February 4th, 1931. At this hearing a proposed draft of order was introduced, copies of which were furnished the carriers in advance of the hearing.

Provision was made for the submission of this case after the carriers had had thirty (30) days in which to review another proposed draft to be furnished them, embodying certain changes suggested by the representatives of the different carriers affected, it being understood that each company would be afforded an opportunity to advise the Commission as to any changes it desired to have made in this order or request further hearing. The file shows that pursuant to this arrangement, most of the carriers have replied and have signified their approval of the order, as proposed, with a few suggestions for minor changes.

After carefully considering the record in this file, the following form of order is recommended:

O R D E R

An investigation having been instituted on the Commission's own motion in the above entitled proceeding, a public hearing having been held and the matter now being under submission and ready for decision,

The Railroad Commission of the State of California  
Hereby Finds as a Fact that the rules and regulations governing the filing of time tables and of posting notices of changes in the arrival and departure of regular ferries or vessels engaged in the transportation of persons and/or vehicles between points on the inland waters of California, designated as General Order No. 87, are just and reasonable and in the public interest; therefore,

IT IS HEREBY ORDERED that all carriers engaged in the transportation of persons and/or vehicles between points on the inland waters of California and coming within the jurisdiction of

this Commission shall, on and after April 15-1931,  
comply with the regulations governing the filing of time tables  
and of posting notices of changes in the arrival and departure  
of regular ferries or vessels, as prescribed by the Railroad  
Commission of the State of California in its General Order  
No. 87.

The effective date of this General Order shall be  
April 15- 1931.

The foregoing Opinion and Order are hereby approved  
and ordered filed as the Opinion and Order of the Railroad Com-  
mission of the State of California.

Dated at San Francisco, California, this 23 day  
of March, 1931.

CC Sawyer  
Leon C. Whipple  
W. A. Lee  
M. B. Harris  
Fred G. Stewart

Commissioners.

GENERAL ORDER NO. 87.RAILROAD COMMISSION OF THE STATE OF CALIFORNIA  
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IN THE MATTER OF FILING TIME TABLES AND POSTING  
NOTICES OF CHANGES IN THE ARRIVAL AND DEPARTURE  
OF REGULAR FERRIES OR VESSELS ENGAGED IN THE TRANS-  
PORTATION OF PERSONS AND/OR VEHICLES BETWEEN POINTS  
ON THE INLAND WATERS OF CALIFORNIA.

Approved March 23, 1931. Effective April 15, 1931.

IT IS HEREBY ORDERED that each corporation operating ferries or vessels engaged as a common carrier of persons and/or vehicles operating on regular schedules between points exclusively on the inland waters of this State, shall file with this Commission three copies of all reissues of its time schedules and supplements thereto, where a change in schedule is proposed, and new schedules governing the operation of said vessels, at least five (5) days before their effective date and shall post notice of such change in schedule in a conspicuous place at each point affected by said schedule at least five (5) days before the change is to become effective.

IT IS HEREBY FURTHER ORDERED that whenever a change in schedule is to be made by a corporation operating such vessels, which will effect a reduction in the number of trips operated per day on any run or which will effect a reduction in the amount of service per day or kind of service rendered at any point, such corporation must submit to this Commission, at least ten (10) days before the change is to become effective, an approximate time schedule, showing the proposed reduction in service and setting forth the reasons for said proposed reduction in service. A notice to the public of said proposed new time schedule or reduction in service shall be posted on all vessels and at all points that will be affected by said proposed change, for a period of at least ten (10) days prior to the effective time of the proposed reduction in service. The proposed change or changes may be placed in effect after providing said ten (10) days' notice to the public and the Commission, provided the Commission does not otherwise direct, at least two (2) days before the effective date of said proposed reduction in service, as a result of a public protest against such a reduction in service or for any other good cause appearing to the Commission. In case of public protest or for any other reason which the Commission may deem good cause, the carrier may be required to file a formal application for authority to reduce said service.

The requirements of this order shall not apply:

- (a) To extra service or service to meet special conditions.

- (b) To any railroad corporation operating ferries or vessels as a common carrier of persons between points exclusively on the inland waters of this State, when such ferries or vessels are operated as part of or in conjunction with a line of railroad.

If, in a particular case, exemption from any of the requirements herein is desired, the Commission will consider the request of a carrier for such exemption when accompanied by a full statement of the conditions existing and the reasons why such exemption is asked.

By order of the Commission.

H. G. MATHEWSON,  
Secretary."