

Decision No. 24147

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of BEVERLY GIBSON for a certificate of public convenience and necessity to (a) operate an auto stage line for the transportation of passengers, baggage and express, for compensation, and as a common carrier, between Sacramento and San Francisco, California, and intermediate points, via Walnut Grove, Antioch, Pittsburg, and Willow Pass Road, to Concord; also via Walnut Grove, Rio Vista, Antioch, Pittsburg, and Bay Point, to Concord; thence via Walnut Creek, Lafayette, and the Tunnel Road to Berkeley and Oakland, and thence by Southern Pacific automobile ferries to San Francisco, in conjunction with, and as an extension and enlargement of, the transportation service now being rendered by applicant between Sacramento and Bay Point, California, and intermediate points; and (b) consolidate its present operative rights and establish certain through service thereover; and (c) consolidate its present operative rights with the operative rights sought to be acquired herein, and establish certain through service thereover.

ORIGINAL

Application
No.14026

In the Matter of the Application of CALIFORNIA TRANSIT CO., a corporation, for a certificate of public convenience and necessity (a) to reroute a portion of its service between Oakland and Martinez via Franklin Canyon, (b) to render certain local service between Martinez and Antioch, and (c) to consolidate the Martinez-Stockton operative rights with the operative rights of the remainder of applicant's system.

Application
No.14912

BY THE COMMISSION -

SECOND SUPPLEMENTAL ORDER

WHEREAS, it appears that through an inadvertence the order of the Commission in Decision No.23917, granting to Beverly Gibson a certificate of public convenience and necessity in lieu of operating rights acquired by him from time to time, did not properly describe the territory served under said rights, now,

Therefore good cause appearing,

IT IS HEREBY ORDERED that the following be substituted for that part of the order in Decision No.23917 beginning immediately after the words "submitted on briefs", on page 17 of said decision, and closing with the words "satisfactory to the Railroad Commission" (contained in Condition No.5), on page 19 of said decision:

"THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation of an automotive service for the transportation of passengers, baggage and express between the following points, serving all intermediates between said points:

- 1- Between Sacramento and Lodi, via Franklin and Thornton.
- 2- Between Lodi and Stockton, via both the Cherokee Lane and Lower Stockton Road.
- 3- Between Walnut Grove and Thornton.
- 4- Between Sacramento and Rio Vista via Freeport (River Road) Hood, Vorden and Isleton.
- 5- Between Rio Vista and Bay Point via Curtis Landing, Antioch and Pittsburg.
- 6- Between Rio Vista and Suisun, via Denverton and Solano City.
- 7- Between Sacramento and Winters, via Davis.
- 8- Between Sacramento and Repressa, via Mills Road and Folsom.

" IT IS HEREBY ORDERED that an in lieu certificate of public convenience and necessity for such a service, to be operated as a consolidated, unified system be and the same is hereby granted to Beverly Gibson, said operating rights to be subject to the following conditions:

- 1- That no single piece of express weighing in excess of 100 pounds shall be transported and the transportation of express shall be limited to passenger vehicles operated under said certificate. No express shall be transported between Sacramento and Repressa and intermediate points.

2- That no passengers nor express shall be transported between Sacramento on the one hand, and Antioch, Pittsburg and Bay Point on the other hand, nor transported locally between Antioch, Pittsburg and Bay Point, or any of said towns.

3- That the operating right between Rio Vista and Suisun, via Denverton and Solano City, shall be subject to our order in Decision No.23282, on Application No.17020, and that between Sacramento and Winters subject to our order in Decision No.23010 and No.23446 in Application No.16564.

4- That within twenty (20) days from the date hereof said Beverly Gibson shall file an acceptance of the certificate herein granted, said acceptance to contain the declaration that the certificate herein granted is accepted in lieu of all operating rights heretofore granted to or acquired by Beverly Gibson between the points hereinabove named, all of said original operating rights being hereby revoked.

5- That applicant Beverly Gibson shall file, within thirty (30) days from the date hereof a tariff of rates and rules and regulations which shall in form and substance be identical with the tariff and rules and regulations covering service affected by the order herein, now on file with the Railroad Commission in the name of Beverly Gibson, in so far as they are applicable to the service herein authorized.

6- That applicant Beverly Gibson shall file such time schedules as are required by the Railroad Commission to cover the service herein authorized.

7- 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.

8- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

" THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY FURTHER DECLARES that public convenience and necessity require the operation of an auto trucking service for the transportation of freight between Sacramento and Rio Vista and all intermediate points via Hood, Walnut Grove, Ryde and Isleton, and

WIT IS HEREBY FURTHER ORDERED that a certificate of public convenience and necessity for such a service be and the same is hereby granted to Beverly Gibson, subject to the following conditions:

1- That within twenty (20) days from the date hereof said Beverly Gibson shall file an acceptance of the certificate herein granted, said acceptance to contain the declaration that the certificate herein granted is accepted in lieu of all operating rights heretofore granted to or accepted by Beverly Gibson between the points hereinabove named, all of said original operating rights being hereby revoked.

2- That applicant Beverly Gibson shall file, within thirty (30) days from the date hereof a tariff of rates, and rules and regulations which shall in form and substance be identical with the tariff and rules and regulations covering service affected by the order herein now on file in the name of Beverly Gibson with the Railroad Commission, insofar as they are applicable to the service herein authorized.

3- That applicant Beverly Gibson shall file such time schedules as are required by the Railroad Commission to cover the service herein authorized.

4- 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.

5- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission. "

In all other respects the decision is to remain unchanged.

Dated at San Francisco, California, this 19th day of

October, 1931.

Leon Arthur
M. J. Van
W. B. Line
Fred G. Stewart
COMMISSIONERS.