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Decision No. 10546

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
F. J. ELLISON for a certificate of
public convenience and necessity to
operate passenger auto service be-
tween Burlingame and Pacific City.

Application No. 7819

G. D. Ferrell for Applicant
A. C. Lackenbach for Pacific City Company

BY THE COMMISSION,

O P I N I O N

F. J. Ellison has made application to the Railroad Commission in which he petitions for a certificate of public convenience and necessity authorizing the operation of an automobile stage line as a common carrier of passengers between Burlingame and Pacific City, San Mateo County, California.

A public hearing upon the above entitled application was held before Examiner Satterwhite on June 2nd, 1922, at San Francisco at which time the matter was submitted and it is now ready for decision.

No one appeared in protest to the granting of the certificate as herein applied for. Appearance was entered on behalf of the Pacific City Company, a corporation, which proposes to shortly commence the operation of a beach resort on San Francisco Bay to be known as Pacific City. The attorney representing said corporation appeared in favor of the granting of the certificate as herein applied for, stating

that his corporation had made arrangements with applicant herein for the establishment of transportation service as herein proposed and that it was the opinion of such corporation that public convenience and necessity required the establishment of the service as proposed by said applicant.

The service proposed to be rendered by applicant herein will operate from the Southern Pacific Depot in Burlingame, through the City of Burlingame, a portion of the City of San Mateo and then over a private road to the entrance to Pacific City. Applicant proposes to operate in said service, specially constructed passenger carrying vehicles built upon Ford trucks and known as Fageol cars and trailers and to operate sufficient cars to care for all traffic demands from the Southern Pacific Depot or street cars of the Market Street Railway Company to the entrance to Pacific City.

In the operation of this line as proposed by applicant herein, it will be necessary that his equipment cross the tracks of the Southern Pacific Company and the interurban tracks of the Market Street Railway Company, operating interurban cars between San Francisco and San Mateo. The equipment herein proposed is not of the regulation stage type, but is specially constructed cars together with trailers and we are of the opinion that due to the apparent danger in their operation over railroad crossings, that the Commission should reserve the right to issue, after investigation, a supplemental order directing explicitly over what streets and under what conditions this service should be operated.

In view of the fact that the City authorities of Burlingame and the officials of the Pacific City Company are strongly in favor of the establishment of service as herein proposed by applicant, we are of the opinion that this application should be granted.

O R D E R

Public hearing having been held in the above entitled proceeding, evidence submitted and the Commission being fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the operation by E. J. Ellison of an automobile stage line as a common carrier of passengers between Burlingame, Pacific City and intermediate points, San Mateo County, California.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and the same hereby is granted, subject to the following conditions:

The Railroad Commission reserves the right to issue its supplemental order directing in detail the exact route to be covered by the service as herein proposed, together with such conditions governing the safety of said operation as may appear warranted.

IT IS HEREBY FURTHER ORDERED that E. J. Ellison shall file within a period of not to exceed ten (10) days from date hereof, his written acceptance of the certificate herein granted and shall file within a period of not to exceed fifteen (15) days from date hereof, tariff of rates and time schedules, in duplicate, such tariff of rates and time schedules to be in accordance with General Order No. 51 of the Railroad Commission and shall commence service as herein authorized within a period of not to exceed twenty (20) days from date hereof.

The service under this certificate to be operated only during such periods of the year as the resort known as Pacific City is open to the public.

Applicant is hereby further authorized to operate in connection with this proposed service not to exceed at any time more than two trailers to each motor unit of such equipment.

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.

No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is

leased by said applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 9th
day of June, 1922.

H. B. Besside

Charles J. ...

W. H. ...
Commissioners