

ORIGINAL

Decision No. 4679

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

---oOo---

In the Matter of the Application)
of FRANK J. BAWART and ANTOINE L.)
BAWART for an order declaring that)
public convenience and necessity)
require the operation by Petition-)
ers of two automobiles as common)
carriers of passengers and express)
packages between Palo Alto and Red-)
wood City.)
.....

Application No. 3164.

- E. A. Ingals for Petitioners.
- J. E. McCurdy for Peninsula Rapid Transit Company, protestant.
- Bishop and Bahler, by H. M. Wade, for California Stages Company, protestant.
- O. M. Spangler for Union Line, protestant.
- H. M. Wade for Otto Rinckert and Floyd Hanchett, protestant.

THELEN and GORDON, Commissioners.

O P I N I O N .

Frank J. Bawart and Antoine L. Bawart, brothers, doing business under the name of University Auto Bus Company, have filed herein a petition asking that the Railroad Commission make its order declaring that public convenience and necessity require the operation by Petitioners of two automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City.

A public hearing was held in San Francisco on September 7, 1917.

For a statement of the provisions of Chapter 213, Laws of 1917, providing for the supervision and regulation of transportation companies, of the principles governing the decision in proceedings of this character and of the conditions surrounding transportation by automobile stages between San Francisco and

Palo Alto, reference is hereby made to the decision this day rendered in Application No. 3159, Santa Clara Valley Auto Line.

Since July 23, 1917, Petitioners have operated two automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City. Petitioners operate on the State Highway between these points. Their Redwood City terminus is at 238 Main Street, Redwood City, and their Palo Alto terminus near the Southern Pacific Company's station, outside the incorporated limits of the City of Palo Alto.

The equipment used by Petitioners consists of one Paige touring car, 1917 model, twenty-nine horsepower with a seating capacity of seven, State license number 191447 and one Ford touring car, 1918 model, twenty-two horsepower with a seating capacity of five, State license number 310367.

The time schedule on which Petitioners propose to operate is a daily schedule, leaving Palo Alto north bound at 11 A.M. and thereafter on the hour until 5 P.M., and again leaving Palo Alto north bound at 6 P.M. and thereafter each thirty minutes until midnight, and leaving Redwood City south bound at 11 A.M. and thereafter on the hour until 5 P.M., and again leaving Redwood City south bound at 6 P.M. and thereafter each thirty minutes until 11:30 P.M.

The fares proposed to be charged are as follows:

Between Stations - One Way Fares.

	<u>Palo Alto</u>	<u>Menlo</u>	<u>Redwood City</u>
Palo Alto		.10	.15
Menlo	.10		.10
Redwood City	.15	.10	

Children under two years free; from two to five years half fare on ten cent fares.

Hand baggage free up to and including weight of 25 pounds.

Packages and excess baggage will be carried at rate of one cent per pound; minimum charge 25 cents. No package or shipment weighing in excess of 100 pounds will be carried by passenger auto.

Due to the establishment of the United States Army encampment in San Mateo County, known as "Camp Fremont", an unusual local transportation situation has arisen between the City of Redwood City and the City of Palo Alto. Soldiers stationed at Camp Fremont are accorded frequent leave of absence and utilize such leave to make trips to nearby cities. Palo Alto and Redwood City are the nearest communities to the United States Army encampment at Camp Fremont and are the points to which a considerable number of soldiers desire transportation. Petitioners also desire to establish regular service between the City of Redwood City and the City of Palo Alto serving the encampment at Camp Fremont as an intermediate station.

Petitioners have not as yet secured a permit from the counties of Santa Clara and San Mateo and the City of Redwood City, as provided by Section 3, Chapter 213, Laws of 1917, but intend to make application promptly for such permits.

As already stated, Petitioners initiated their service on July 23, 1917, prior to the effective date of Chapter 213, Laws of 1917. Petitioners have operated their service on a regular time schedule and carry between 80 and 100 passengers daily.

We find as a fact that public convenience and necessity require the operation by Petitioners of two automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City, subject to the conditions contained in the order herein, and submit the following form of order:

O R D E R.

FRANK J. BAWART and ANTOINE L. BAWART, brothers, doing business under the name of UNIVERSITY AUTO BUS COMPANY, having filed a petition herein asking that the Railroad Commission make its order declaring that public convenience and necessity require the operation by Petitioners of two automobiles as common carriers of passengers

and express packages between Palo Alto and Redwood City, a public hearing having been held, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY FINDS AS A FACT that public convenience and necessity require the operation by Frank J. Bawart and Antone L. Bawart, doing business under the name of University Auto Bus Company, of two automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City, on the conditions hereinafter specified.

Basing its order on the foregoing finding of fact and on the other findings of fact contained in the opinion which precedes this order,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Frank J. Bawart and Antone L. Bawart, doing business under the name of University Auto Bus Company, of two automobiles as common carriers of passengers and express packages between Palo Alto and Redwood City, provided that this declaration shall not become effective until said Frank J. Bawart and Antone L. Bawart, doing business under the name of University Auto Bus Company, shall have secured from the Railroad Commission a supplemental order reciting that they have filed herein certified copies of permits from the County of San Mateo, the County of Santa Clara and the City of Redwood, as provided by Section 3 of Chapter 213, Laws of 1917; and, provided further, that the rights and privileges herein granted shall not be assigned or transferred unless the written consent of the Railroad Commission to such assignment or transfer has first been secured.

The foregoing opinion and order are hereby approved and

ordered filed as the opinion and order of the Railroad Commission
of the State of California.

Dated at San Francisco, California, this 26th day
of September, 1917.

Max Thelen

W. J. Stanford

Alex Gordon

Edwin O. Edgett

Frank R. Durbin

Commissioners.