

Decision No. \_\_\_\_\_

ORIGINAL

Decision No. 4914

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of  
SANTA ROSA, PETALUMA AND SAUSALITO  
AUTO STAGE COMPANY for certificate  
of public convenience and necessity  
to operate stage or truck service be-  
tween Santa Rosa and Sausalito.

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) Application No. 3313.

C. A. Brauch for applicant.  
J. J. Geary for Northwestern Pacific  
Railroad Company.  
L. C. Pistolesi for city of Sausalito.  
E. H. Maggard for Petaluma and Santa  
Rosa Railway.

BY THE COMMISSION:

#### O P I N I O N

C. A. BRAUCH, sole owner of Santa Rosa,  
Petaluma and Sausalito Auto Stage Company applies for a certificate  
that public convenience and necessity require him to operate a  
passenger stage service between Santa Rosa and Sausalito, via  
Petaluma, through Marin County and a part of Sonoma County.

A public hearing was held herein by Examiner  
Westover at Sausalito on November 20, 1917.

Applicant proposes to operate a seven-passenger  
Hudson car on the schedule shown below in comparison with the train  
schedule of Northwestern Pacific Railroad Company:

NORTHWESTERN PACIFIC RAILROAD COMPANY

| N O R T H   B O U N D |                     |                   |                      | S O U T H   B O U N D |                   |                     |                     |
|-----------------------|---------------------|-------------------|----------------------|-----------------------|-------------------|---------------------|---------------------|
| Leave<br>Sausalito    | Leave<br>San Rafael | Leave<br>Petaluma | Arrive<br>Santa Rosa | Leave<br>Santa Rosa   | Leave<br>Petaluma | Leave<br>San Rafael | Arrive<br>Sausalito |
| 8:20 A.M.             | 8:45 A.M.           | 9:28 A.M.         | 10:00 A.M.           | --                    | --                | 7:30 A.M.           | 7:53 A.M.           |
| 8:50 A.M.             | 9:15 A.M.           | --                | --                   | 6:40 A.M.             | 7:12 A.M.         | 8:00 A.M.           | 8:23 A.M.           |
| *9:20 A.M.            | *9:45 A.M.          | 10:32 A.M.        | 11:11 A.M.           | 8:13 A.M.             | 8:46 A.M.         | 9:30 A.M.           | 9:53 A.M.           |
| 11:20 A.M.            | 11:47 A.M.          | 12:35 P.M.        | 1:09 P.M.            | 9:15 A.M.             | 9:46 A.M.         | 10:32 A.M.          | 10:53 A.M.          |
| 2:20 P.M.             | 2:45 P.M.           | 3:26 P.M.         | 3:50 P.M.            | 2:38 P.M.             | 3:16 P.M.         | 4:00 P.M.           | 4:23 P.M.           |
| 3:50 P.M.             | 4:15 P.M.           | 5:00 P.M.         | 5:40 P.M.            | --                    | --                | 5:00 P.M.           | 5:23 P.M.           |
| 5:20 P.M.             | 5:47 P.M.           | --                | --                   | *4:35 P.M.            | 5:10 P.M.         | 6:00 P.M.           | 6:24 P.M.           |
| 5:50 P.M.             | 6:17 P.M.           | 7:10 P.M.         | 7:45 P.M.            | 5:15 P.M.             | 5:46 P.M.         | 6:30 P.M.           | 6:53 P.M.           |

\* Tuesday, Thursday, Saturday, Sunday.

SANTA ROSA, PETALUMA AND SAUSALITO AUTO STAGE

| N O R T H   B O U N D |                     |                   |                      | S O U T H   B O U N D |                   |                     |                     |
|-----------------------|---------------------|-------------------|----------------------|-----------------------|-------------------|---------------------|---------------------|
| Leave<br>Sausalito    | Leave<br>San Rafael | Leave<br>Petaluma | Arrive<br>Santa Rosa | Leave<br>Santa Rosa   | Leave<br>Petaluma | Leave<br>San Rafael | Arrive<br>Sausalito |
| 12:15 A.M.            | 1:15 A.M.           | 2:15 A.M.         | 3:15 A.M.            | 11:15 A.M.            | 12:15 P.M.        | 1:15 P.M.           | 2:00 P.M.           |
| 3:15 P.M.             | 4:00 P.M.           | 5:00 P.M.         | 6:00 P.M.            | 7:00 P.M.             | 8:00 P.M.         | 9:00 P.M.           | 10:00 P.M.          |

Applicant's proposed fares in comparison with the fares of Northwestern Pacific Railroad Company are as follows:

|                          | Northwestern<br>Pacific<br>Railroad Comp'y | Santa Rosa<br>Petaluma and<br>Sausalito Anto<br>Stage |
|--------------------------|--|---|
| Santa Rosa to Petaluma   | .30  | .50   |
| Santa Rosa to San Rafael | .95  | 1.00  |
| Santa Rosa to Sausalito  | 1.20                                       | 1.25  |
| Petaluma to San Rafael   | .65  | .65   |
| Petaluma to Sausalito    | .90  | 1.00  |
| Novato to Sausalito      | .60  | .75   |

The Northwestern Pacific Railroad Company has no objection to the operation under the proposed night schedule, but takes the position that the day schedule is not needed as its road gives ample service throughout the day. The Petaluma and Santa Rosa Railway has no objection to the granting of the application to operate under both the day and night schedules.

Applicant lives at Santa Rosa and has a contract, which expires in July, 1918, under which he carries San Francisco newspapers to Santa Rosa and way points by automobile. For this purpose he leaves Santa Rosa at 7:00 P.M., arrives at Sausalito at 10 P.M. and awaits the arrival of the ferry boat of the Northwestern Pacific Railroad Company which leaves San Francisco at 11:30 P.M., which is due to arrive at Sausalito at 12:17 A.M., on which the newspapers are brought to Sausalito. As far as the proposed night schedule is concerned, he merely wishes authority to carry passengers on this trip which he is obliged to make under his contract.

Applicant's schedule when filed should show the necessary modification to permit him to connect with the ferry boat arriving at Sausalito at 12:17 A.M.

Applicant reports that Elmer E. Decker and P.W. Dongan, who were authorized by the Railroad Commission in its Decision No. 4766, dated October 19, 1917, to operate four

round trips a day over the route in question, discontinued operation about October 29, 1917, and that thereupon applicant began to operate on the above two schedules.

A statement of passengers carried from November 1st to November 22, 1917, shows a total of 151 carried on 79 trips, or an average of nearly two passengers per trip on the day schedule. Of these 56 traveled the entire distance between Santa Rosa and Petaluma, and 48 traveled between Petaluma and Sausalito, Santa Rosa and San Rafael, or an equivalent distance. Of the above 56 and 48 passengers 21 were northbound from Sausalito. The gross receipts amounted to \$152.65 or over \$1.00 per passenger. On the night schedule from October 30th to November 20th, 1917, 319 passengers were carried, or an average of almost 8 passengers per trip. The gross revenue derived for the period from the night schedule and what part of the route was traveled by these passengers is not shown by the statement. Since there is no protest being made against operating upon this schedule and applicant is obliged to make the trip in any event under his contract, this information is of less importance than that relating to the day schedule. From the number of passengers carried, it appears that the proposed service will further public convenience.

Applicant stated that he had received permits as required by Section 213, Laws of 1917, from the boards of Supervisors of the counties of Sonoma and Marin and from the city councils of the cities of Petaluma and San Rafael.

Mr. Pistolesi, one of the trustees of the City of Sausalito, stated that the City Trustees had determined to grant the permit if the Railroad Commission first declared that public convenience and necessity required the service.

The testimony regarding the procedure before the several governing bodies suggests a serious doubt whether the permits referred to comply with the requirements of the statute which requires certain advertising and a public hearing before the permits are granted.

It appears that Messrs. Decker and Dongan made no effort to procure the necessary local permits. As they did not diligently proceed to secure the necessary local permits specified in the Commission's order and procure authority from the Commission by supplemental order, as specified in said Decision No. 4766, they are disregarded in considering the present application.

#### O R D E R

C. A. BRAUCH, sole owner of Santa Rosa, Petaluma and Sausalito Auto Stage Company, having applied to the Railroad Commission for certificate that public convenience and necessity require the operation by him of an automobile passenger service as a common carrier of passengers between Sausalito, Marin County, and Santa Rosa, in Sonoma County, under the name of Santa Rosa, Petaluma and Sausalito Auto Stage Company, and a public hearing having been held thereon and the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by said C. A. Brauch of automobile passenger service substantially in accordance with foregoing time schedule as a common carrier of passengers between Sausalito, Marin County, and Santa Rosa, in Sonoma County; provided this declaration shall not become effective until said Brauch has secured certified permits from the Boards of Supervisors of the Counties of Sonoma and Marin, and from the Cities of Santa Rosa, Petaluma, San Rafael and

Sausalito, as provided by Section 3, 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.

Dated at San Francisco, California, this 30th day of November, 1917.

Max Thelen

J. H. Loveland

Edwin V. Edgerton

Commissioners.