

ORIGINAL

DECISION NO. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of GUS KALIMOS for certificate
of public convenience and neces-
sity to operate stage service be-
tween Vallejo and Benicia,
California.

APPLICATION NO. 3275.

L. G. Harrier for Applicant.
James H. O'Leary for Mr. Passalacqua,
Protestant.

BY THE COMMISSION.

OPINION

Applicant herein requests that the Railroad Commission make its order declaring that public convenience and necessity require the operation by applicant of an automobile stage service as a common carrier of passengers and baggage between Vallejo and Benicia.

Public hearings were held at Vallejo by Examiner Encell on December 11, 1917, and January 21, 1918.

Applicant proposes to operate on a daily schedule of eight round trips with an additional round trip on Saturdays, Sundays and holidays.

Applicant proposes to use in this service one 4 seated Reo Auto Stage, 35 horse power, with seating capacity of 16 passengers, for which the state motor vehicle license has not yet been obtained.

Applicant proposes to charge a single trip fare between Vallejo and Benicia of 35 cents, a round trip fare of 50 cents and a commutation fare of 12 rides for \$1.50.

The proposed terminus in Benicia is at Hoffman's Drug Store, corner First and "G" Streets, and in Vallejo at the Brownlie Hardware Company, 342 Georgia Street.

No permits as required by Section 3 of Chapter 213, Laws of 1917, have been secured from the Board of Supervisors of the County of Solano or from the cities of Benicia and Vallejo.

Applicant relies upon the increase in travel between the cities of Vallejo and Benicia and upon the growth of the respective communities as justification for his application and upon the fact that crowding of cars and inadequate accommodation for the public is in evidence on the line of the Passalacqua Stages now operating between these points.

The record in this proceeding shows considerable testimony to the effect that the service rendered by the Passalacqua Stages has been somewhat unreliable, that time schedules have not been properly observed and that in some instances overcrowding of cars has been permitted by the drivers on the Passalacqua line. It was also shown by the protestant that such complaint had arisen through misunderstanding of the rules and regulations of the Commission as defined in the order in Case 1110, Decision 4814, decided November 6, 1917.

Protestant owns and operates a total of six cars, two with a seating capacity of 15 passengers, one with a seating capacity of 12 passengers, one with a seating capacity of 19 passengers, one with a seating capacity of seven passengers and one with a seating capacity of five passengers. It is evident that the protestant, Passalacqua Stage Company, has ample equipment

and is able to provide additional equipment if the public necessity should require additional service on the line between Benicia and Vallejo, and as the matter of the requirements of the Commission regarding the strict observance of advertised time schedules and the necessity for compliance with the rules and regulations relating to overcrowding of stages and other safety requirements were fully presented at the hearings on this proceeding, full compliance with such rules will be expected of the Passalacqua Stages in their future operation.

The Commission has frequently stated that the public necessity and convenience is the first consideration in applications of this nature rather than the desire of any operator to enter the transportation field as a common carrier, and in this proceeding it is apparent that the existing line is sufficiently well equipped to render satisfactory service and that such service can be rendered.

After careful consideration of all the evidence in this proceeding, we find as a fact that public convenience and necessity do not require the operation of an automobile stage line between Benicia and Vallejo by the applicant herein.

ORDER

Gas Kalimos, applicant herein, having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by applicant of an automobile stage line as a common carrier of passengers and baggage between Benicia and Vallejo, public hearings having been held and the Com-

mission being fully advised,

THE RAILROAD COMMISSION HEREBY DECLARES That public convenience and necessity do not require the operation by applicant of an automobile stage line as a common carrier of passengers between Benicia and Vallejo, and

IT IS HEREBY ORDERED, That this application be and the same hereby is denied.

Dated at San Francisco, California, this 5th day of February, 1918.

Max Shelton
H. S. Loveland
W. Gordon

Frank R. Derby

Commissioners.