

ORIGINAL

Decision No. 5900

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
 AUTO TRANSIT COMPANY for certificate)
 of public convenience and necessity)
 to operate stage service between San) Application No. 3669.
 Francisco and Santa Cruz.)
)

Joseph A. Brown and Wm. B. Hornblower, for Applicant.

John F. Davis, City Attorney, for City of Burlingame.

C. B. Gillespie, for C. M. Blabon and Davis Transit Company, Protestants.

J. D. McCurdy for Peninsular Rapid Transit Company, Protestant.

BY THE COMMISSION

O P I N I O N

Auto Transit Company, a corporation, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by said corporation of an automobile stage line as a common carrier of passengers between San Francisco and Santa Cruz.

Public hearings were held by Examiner H. A. Encell at San Francisco on June 4 and 20, 1918, the matter was duly submitted and is now ready for decision.

Applicants propose to charge fares in accordance with a schedule marked exhibit "A" and filed with the application in this proceeding and to operate on a schedule of three round-trips daily serving Menlo Park as an intermediate station.

The equipment proposed to be used consists of three-

360

six-cylinder Chandler Touring Cars, each with a seating capacity of seven passengers, licensed by State Motor Vehicle Department under License Nos. 323024, 103504 and 372554. As an emergency car and to care for overloads a 30 H. P. Studebaker Automobile, seven passenger capacity, licensed by State Motor Vehicle Department under No. 656479, will be used.

It is the desire of the applicant to serve the through business between San Francisco and Santa Cruz, no direct line of automobile transportation being now available for the public and a change of cars at San Jose now being required. The proposed route of applicant is shorter than that via San Jose and contemplates service through the Town of Los Gatos. A petition signed by the Mayor of Santa Cruz and other prominent citizens was introduced as evidence that the proposed service was desired by the City of Santa Cruz.

This application was opposed by the Peninsular Rapid Transit Company, the Davis Transit Company and C. M. Blabon.

The Peninsular Rapid Transit Company opposed the application on the basis that the granting of the application would interfere with the business of that company as regards local traffic to Menlo Park which station also serves the military encampment at Camp Fremont. It was stipulated that applicants only desired to serve Menlo Park or Camp Fremont when seats were available or when not required by through passengers for Los Gatos and Santa Cruz or passengers originating at such points.

The Davis Transit Company operates between Palo Alto and San Jose, giving a service of twenty-eight round trips daily with two extra trips on Saturdays and Sundays. The line

of this protestant forms a connecting link in the present service between San Francisco and Santa Cruz.

C. M. Blabon has operated between San Jose and Santa Cruz since April, 1917, giving a service of two round trips per day. This protestant testified that he is able to care for all the business offering between San Jose and Santa Cruz.

We have carefully considered the evidence in this proceeding and are of the opinion that a direct service as proposed by applicant will be a desirable route for the traveling public. We are of the opinion that no business should be handled locally between Menlo Park or Camp Fremont and San Francisco unless vacant space is available in the cars of the applicant and which is not required by passengers to or from points beyond Menlo Park and the order in this proceeding will be conditioned in this regard.

O R D E R

Auto Transit Company, a corporation, having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by it of an automobile stage line as a common carrier of passengers between San Francisco and Santa Cruz and intermediate points, public hearings having been held, the matter having been duly submitted and the Commission being fully advised,

THE RAILROAD COMMISSION hereby declares that public convenience and necessity requires the operation by Auto Transit Company, a corporation, of an automobile stage line as a common carrier of passengers between San Francisco and Santa Cruz and intermediate points, except as hereinafter ^{stated:} provided, however, that this declaration

shall not become effective until said Auto Transit Company, a corporation, shall have procured from the Railroad Commission a supplemental order herein reciting that said Auto Transit Company, a corporation, has filed herein certified copies of permits issued by the governing bodies of all political subdivisions through which the proposed route passes, in accordance with the requirements of Section 3 of Chapter 213, Laws of 1917; and provided, further, that the rights and privileges herein granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been procured.

IT IS HEREBY ORDERED that no vehicle may be operated under this certificate unless such vehicle is owned by the applicant herein or is leased by such applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that no local business shall be handled by the applicant between Menlo Park or Camp Fremont and San Francisco unless there are vacant seats in the automobiles of applicant, which are not required by through passengers between Santa Cruz and San Francisco, and that no local runs or service is hereby authorized or established between Menlo Park or Camp Fremont and San Francisco, applicant having stipulated that the purpose of establishing the line for which authority is sought is for the accommodation and service of through passengers between Santa Cruz and San Francisco.

Dated at San Francisco, California, this 14th day of
~~NOVEMBER~~
~~October,~~ 1918.

Edwin D. Edgerton
W. D. [unclear]
Frank [unclear]

Commissioners.

