

Decision No. 6255

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application )  
of COUSINS LAUNCH AND LIGHTER )  
COMPANY for an order authorizing )  
the increase of freight and pas- )  
senger rates and charges for )  
towing. )

Application No. 4251.

A. J. Monroe for applicant.  
Henry L. Ford and Harry W. Falk  
for protestants.  
T. H. Selvage for Henry Brault.

BY THE COMMISSION.

O P I N I O N.

This is an application by H. H. Cousins, engaged in the business of towage and the transportation of passengers and freight on Humboldt Bay, under the fictitious name of Cousins Launch and Lighter Company, for authority to increase his passenger and freight rates and charges for towing and special charter trips.

A public hearing in this proceeding was held at Eureka on March 20, 1919, before Examiner Bancroft.

Prior to the hearing applicant filed an amendment to his application and, by leave of the Commission, he filed a second amendment after the hearing.

The present and proposed rates of applicant are set forth in the following schedule:

FREIGHT RATES.

	<u>Present</u>	<u>Proposed</u>
Lumber (including loading and unloading) Per 1000 ft. B. M. ....	\$1.00	\$1.47½
Lumber (Transportation service only) Per 1000 ft. B. M. ....	.50	.50
*Shakes per 1000.....	.40	.40
*Shingles per 1000.....	.07½	.10
*Wood per cord.....	1.00	1.35
* Includes loading and unloading.		
Merchandise per 100 lbs. ....	None	.10
Minimum charge.....	"	.15

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TOWING CHARGES.

Launches per hour ( 5 net tons) .....	2.00	3.00
Launches per hour ( over 5 net tons).....	3.00	4.00

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PASSENGER FARES.

Between Eureka and Rolph - one way.....	.15	.15
Round trip.....	.25	.25
Commutation Ticket.....	2.00	3.00

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SPECIAL LAUNCH BETWEEN EUREKA AND ROLPH.

7:00 A.M. to 5:00 P.M. per trip	1.50
5:00 P.M. to 7.15 P.M. " "	2.00
7:15 P.M. to 8:30 P.M. " "	2.50
8:30 P.M. to 9:30 P.M. " "	3.00
After 9:30 P. M., 50¢ additional.	

No rates now in effect.

SPECIAL LAUNCHES.

Between Eureka and	<u>Proposed.</u>				
	7:00 A.M. to 5:00 P.M.	5:00 P.M. to 7:15 P.M.	7:15 P.M. to 8:30 P.M.	8:30 P.M. to 9:30 P.M.	Additional after 9:30 P.M.
Samoa	\$1.50	\$2.50	\$3.00	\$3.50	\$ .50
Little River Wharf	2.00	3.00	4.00	4.50	.75
Arcata	3.00	4.50	5.50	6.00	.50
Fields Landing	6.00	6.50	7.00	7.50	.75

(No similar rates in effect).

In addition to these launch rates to Samoa, Little River Wharf, Arcata and Fields Landing, which are to be observed as a minimum charge, applicant proposes the following one way and round trip fares, to be applied when the total number of passengers carried at these fares would exceed the minimum launch charge:

Between Eureka and	<u>One Way</u>	<u>Round Trip</u>
Samoa	\$ .20	\$ .40
Little River Wharf	.20	.40
Arcata	.40	.80
Fields Landing	.40	.80

There is no regular service between these points and the boats are only operated when traffic offers.

The so-called monthly commutation ticket is not a commutation ticket at all, but a sixty-two trip ticket for passage between Eureka and Rolph on the 7:15 and 7:25 A.M. boats and from Rolph to Eureka on the 4:55 P.M., with no limit as to the date of expiration. This rate was established primarily for the benefit of the workmen at the Rolph ship yards. If any portion of this ticket is not used, the holder of same may turn in the unused portion and receive a pro rata refund.

Apparently applicant has failed to realize the responsibilities of a public utility or the fact that it is necessary to conduct his business in accordance with certain rules and regulations. In other words, applicant seems to be entirely unfamiliar with many of the terms and provisions of the Public Utilities Act. While he has apparently succeeded in giving satisfaction to his patrons, he has been guilty of a number of minor discriminations, such as giving passes to the superintendent, the head clerk and four office employees of the Rolph ship yards; charging rates for the transportation of longshoremen from Eureka to the point where vessels were loading or unloading based upon longshoremen's wages, such rates varying with the different schedules of wages paid. Applicant has also been carrying packages from Eureka to Rolph free of charge, as a matter of accommodation to some of his patrons, while he has made a charge for transporting similar articles between the same points for Mr. P. B. Tierney, who conducts a small grocery business at Rolph. However, in justice to applicant, it should be stated that the charge made to Mr. Tierney was never complained of or claimed by the latter to be excessive. As pointed out to applicant at the hearing, all of these irregularities and discriminations must be discontinued immediately.

Applicant submitted letters from Northern Redwood Lumber Company, Pacific Lumber Company, Little River Redwood Company, McKay & Company, Dolbeer & Carson Lumber Company and Holmes Eureka Lumber Company, representing all of applicant's regular patrons for the transportation of lumber, consenting to the proposed increase. He also submitted a statement for the year 1918, showing total receipts of \$27,404.74 and total expenses of \$26,473.09. In this statement, however, no allow-

ance is made for depreciation or return upon investment, nor for expenses in connection with the operation of the "Edna C", the largest vessel operated by applicant, which is used for carrying the ship yard employees between Eureka and Rolph. It is apparent from the testimony that applicant is not making operating expenses under the present schedule of rates, the increased costs of operation since January 1, 1917, being from 50% to 60%.

Under all the circumstances, we are of the opinion that applicant should be permitted to increase his rates, as hereinafter set forth.

#### O R D E R.

E. H. COUSINS, doing a transportation and towage business on Humboldt Bay, under the fictitious name of COUSINS LAUNCH AND LIGHTER COMPANY, having applied to the Railroad Commission for authority to increase his passenger and freight rates and charges for towing and special charter trips, a public hearing having been held and the Commission being fully advised in the premises,

THE RAILROAD COMMISSION HEREBY FINDS AS A FACT that the present rates are insufficient and non-compensatory and that the rates hereinafter authorized are just and reasonable rates.

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

THE COMMISSION HEREBY AUTHORIZES said H. E. Cousins,  
 doing business under the fictitious name of Cousins Launch and  
 Lighter Company, to establish the following rates:

FREIGHT CHARGES.

Lumber (Including loading and unloading)	per 1000 B.M.,	\$1.47½
Lumber (Transportation service only)	" " "	.50
Shakes (Including loading and unloading)	" " "	.40
Shingles.	" " "	.10
Wood	per cord	1.35
Merchandise	per 100 lbs.	.10
" minimum charge		.15

TOWING CHARGES.

By launches of not over 5 gross tons,	per hour	3.00
By launches of over 5 " "	" "	4.00

PASSENGER FARES.

Between Eureka and Rolph	One way	.15
	Round trip	.25
	Ticket good for 62 trips	3.00

Special Launches between Eureka and Rolph:

Between	7:00 A.M. and 5:00 P.M.,	per trip	1.50
Between	5:00 P.M. and 7:15 P.M.,	" "	2.00
Between	7:15 P.M. and 8:30 P.M.,	" "	2.50
Between	8:30 P.M. and 9:30 P.M.,	" "	3.00
Between	9:30 P.M. and 7:00 A.M.,	" "	3.50

Special launches between

Eureka	7:00 A.M., 5:00 P.M., 7:15 P.M., 8:30 P.M., 9:30 P.M.				
to	to	to	to	to	
and	5:00 P.M., 7:15 P.M., 8:30 P.M., 9:30 P.M., 7:00 A.M.				
Samoa	\$1.50	\$2.50	\$3.00	\$3.50	\$4.00
Little River					
Wharf	2.00	3.00	4.00	4.50	5.25
Arcata	3.00	4.50	5.50	6.00	6.50
Fields Landing	6.00	6.50	7.00	7.50	8.25

PROVIDED, that said E. H. Cousins shall file with the Railroad Commission within twenty (20) days after the receipt of a copy of this order a schedule of such rates and charges.

Dated at San Francisco, California, this 14<sup>th</sup> day of April, 1919.

Edwin O. Edgerton  
H. J. Howard  
Frank R. DeLoe  
H. B. Rindley  
David M. Allen  
Commissioners.