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Decision No.

7337

ORIGINAL

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application)
of BEN R. PEDRANTI for certificate)
of public convenience and necessity : Application No. 4808
to operate an auto stage line between)
Pt. Reyes Station and Inverness.)

E. B. Martinelli for Applicant
Edgar T. Zook for protestant,
Geo. W. Morse of Morse Stage Co.

BY THE COMMISSION.

O R D E R

Ben R. Pedranti has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers and freight between Pt. Reyes Station and Inverness in Marin County, and intermediate points.

A public hearing on this application was conducted by Examiner Satterwhite at Sausalito on March 11, 1920, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with the schedule marked Exhibit "A" and filed with said application and to operate on a time schedule of four round trips daily between Pt. Reyes and Inverness, except Saturdays on which day one extra trip will be made, using as equipment one five passenger Ford automobile, one seven passenger Studebaker and one seven-passenger Rambler automobile.

George W. Morse appeared in opposition to this application.

The testimony shows that the applicant, Ben R. Pedranti, has been the owner of and operating a stage line between Pt. Reyes Station and Inverness since April or May 1917; but in view of a determination to grant this application it is not important whether it was before or after May 1st, 1917, which was the date recognized by the Legislature in the passage of Chapter 213, Laws of 1917, as that upon which operators in good faith were not required to secure certificate of public convenience and necessity from the Railroad Commission nor permits from the governing bodies of all political subdivisions through which the route operated. Pedranti by satisfactory service has built up an established business.

Geo. W. Morse, the protestant, has also been operating an auto stage line over this route since June 1914 and has also built up an established business.

Pedranti is now the sole owner of his auto stage line, although for some time, subsequent to April or May 1917, he had a co-partner. Applicant desires the privilege of continuing the operation of this stage line over the route applied for.

Inverness is primarily a summer resort and during the period of the year from May to September, the number of passengers arriving and departing at Pt. Reyes Station, averages from about 40 on week days to 75 on Saturdays and Sundays. In the winter months the travel is much lighter.

Many witnesses consisting of residents of Inverness and others who spend their summers there testified to the public need of both of these stage lines now operating between these two points. It was shown that Pedranti has always rendered good and adequate service to all of his patrons. The patrons of each line are very

loyal in their support. The applicant and Morse have always been friendly competitors and at no time have they interfered with the business of the other, which has been about equally divided.

The record further shows that the applicant and Geo. W. Morse have satisfactorily handled the freight traffic over the proposed route.

If the protestant had been the only operator over this route for several years past, we would hesitate to permit a new competitor to enter this field, but as the applicant has shown that he has been operating a satisfactory service for several years past, we are of the opinion, after full consideration of the evidence, that the application should be granted.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by BEN PEDRANTTI of an automobile stage service as a common carrier of passengers and freight between Pt. Reyes Station and Inverness and intermediate points.

Provided, however, that the rights and privileges herein authorized 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 applicant herein, or is leased by such applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 3^d day of April, 1920.

Edw. C. Edgerton
J. D. [unclear]
Frank [unclear]
H. B. [unclear]

Commissioners.