

ORIGINAL

Decision No. 7465

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the Application)	
of V. C. Grost, E. N. Richards and)	
E. W. Lowell, co-partners, doing)	
business under the fictitious name)	
of Vallejo Bus Company, for certi-)	
ificate of public convenience and)	APPLICATION NO.5428
necessity to operate passenger ser-)	
vice between Vallejo, Georgia and)	
Marin Streets, and Six Minute Ferry)	
Wharf and Morrow Cove.)	

Harry A. Encell, for applicant.
 Frank B. Austin, for Southern Pacific Company, protestant.

By the Commission -

ORDER

Petitioners, V. C. Grost, E. N. Richards and E. W. Lowell, co-partners, doing business under the fictitious name of the Vallejo Bus Company, by this application are asking the Railroad Commission to make its order declaring that public convenience and necessity require the operation by them of an automobile stage line as a common carrier between Vallejo and South Vallejo and the Six Minute Ferry Wharf located at Morrow Point.

A hearing was held at Vallejo, April 19, 1920, before Examiner Geary, the matter was duly submitted and is now ready for decision.

Petitioners propose to operate an hourly service between Vallejo and Morrow Cove passing over the streets of the city of Vallejo and over a private right-of-way/ ^{from the city limits} connecting with the boats of the Six Minute Ferry Company .

The equipment proposed to be used by petitioners consists of 8 buses having a total carrying capacity of 52 passengers. A schedule of the fares proposed by applicants was submitted as an exhibit attached to the application. There are about one hundred passengers per day moving between ferry slip and Vallejo who have no other means of making the trip except by the buses operated by these applicants. All of the witnesses, which included the President of the Merchants' Association of Vallejo and the Secretary of the Vallejo Chamber of Commerce, testified as to the public convenience and necessity and urged that the application be granted. The Southern Pacific Company interposed no particular objections but requested that the time schedules and the fares offered to the public by it be given consideration.

It was developed at the hearing that the applicants are and have been for some time past rendering a service over the route in question. This proceeding was commenced in order to protect their rights. No application was sought in the past under the belief that this Commission had no jurisdiction, the service being rendered over the streets of the municipality and over an alleged private road. The road traversed from the city limits of Vallejo, however, is being freely used by the public as a highway and the operations of this company would therefore appear to be under the jurisdiction of this Commission under Section 1, Chapter 213, Statutes of 1917.

There was no protest except that offered by the Southern Pacific Company against the establishment of the proposed line, there being no direct communication for the travelling public between Vallejo and Morrow Cove.

After careful consideration of all the evidence in the proceeding, we are of the opinion that the application should be granted.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by V. C. Grost, H. N. Richards and H. W. Lowell, co-partners, of an automobile bus line as a common carrier of passengers between Vallejo and South Vallejo. No transfer or assignment of the rights and privileges hereby granted may be made unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

IT IS HEREBY ORDERED THAT applicants, V. C. Grost, H. N. Richards and H. W. Lowell, shall within twenty (20) days from the date of service of this order, file with the Railroad Commission an acceptance of the certificate hereby granted, such acceptance to state the date upon which operation of the line hereby authorized will commence, which date shall be within ninety (90) days from the date of service of this order, unless the date be extended by supplemental order.

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

The Railroad Commission reserves the right to make such other and further orders in this proceeding as to it may seem just and proper or as in its opinion public convenience and necessity may demand.

Dated at San Francisco, California, this 21st day of April, 1920.

Edwin O. Edgerton

Frank R. Dutton

H. H. Brundage

COMMISSIONERS.