

ORIGINAL

Decision No. 8608.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)
RIVER AUTO STAGE ASSOCIATION for a)
certificate of public convenience)
and necessity to operate a passenger)
stage line from Sacramento in Sacra-)
mento County to Rio Vista in Solano)
County, State of California.)
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Application No. 3828.

- F. F. Atkinson for Applicant.
- Frank A. Prior for Lauritzen Transportation Company,
Protestant.
- George A. Work for Sidwell Garage, Protestant.
- C. E. Spear for Southern Pacific Company, Protestant.

BY THE COMMISSION:

ORDER

River Auto Stage Association has 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 from Isleton, in Sacramento County to Rio Vista in Solano County; such application being later amended covering the operation of the through route from Sacramento to Rio Vista.

Public hearings on this application were conducted by Examiner Eandford at Sacramento and Rio Vista, the matter was duly submitted and is now ready for decision.

River Auto Stage Association at the time of filing of the original application in this proceeding was a cooperative business association operated under the laws of the State of California in accordance with articles of association and by-laws

filed as a portion of the original application in this proceeding. Applicant originally requested permission to extend its operation from Isleton down the left bank of the Sacramento river to a point opposite the city of Rio Vista crossing the Sacramento river by a ferry until such time as a bridge then under construction would be completed.

In a subsequent application authority was requested to extend service through from Sacramento to Rio Vista but to make changes in the former route as operated between Sacramento and Isleton so as to include the communities at Freeport, Clarksburg Ferry Landing, Grand Island Bridge and Ryde. Witnesses for applicant testified as to the service heretofore rendered by applicant and as to the desirability and necessity for the change in routing to serve certain intermediate communities, such changes being made possible and feasible by reason of the construction or improvement of existing highways. It also appears that there is a limited amount of traffic desiring transportation in the district between Isleton and Rio Vista; such traffic either originating at or destined to points in the district between Sacramento and Isleton.

The Lauritzen Transportation Company object to the granting of this application on the basis that service rendered by such company by automobile stages and in connection with its operation of launches on the Sacramento river furnish a combined service available for the public and deemed satisfactory for such demand. The route followed by the Lauritzen Transportation Company does not satisfactorily reach all points contemplated by applicant herein nor is such service dependable nor is protestant, Lauritzen Transportation Company, equipped with the necessary vehicles and launches to insure a satis-

factory service to which the public is entitled. The Southern Pacific Company protest the granting of this application insofar as it refers to the serving of competitive territory between Sacramento and Walnut Grove. This territory, however, has been served by applicant for a number of years and the train service of the Southern Pacific Company, as regards the handling of passengers, is not of sufficient frequency to satisfactorily meet the demands of the public between these points and the service of applicant extending beyond Walnut Grove where no railroad service is available results in direct communication between Sacramento and Sacramento river points which are reached by the state and county highways serving such communities. The granting of the application is opposed by the Sidwell Garage Company, as regards the territory between Isleton and Rio Vista, a distance of approximately seven miles, principally for the reason that the Sidwell Garage Company now operating between Molena (a station on the line of the Sacramento-San Francisco Railroad) contemplate the extension of their service from Rio Vista to Isleton. Applicant in this proceeding has for a number of years operated between Sacramento and Isleton and intermediate Sacramento river points and was so operating at the time the provisions of Chapter 213, Laws of 1917, placed automobile transportation as a common carrier, under the jurisdiction of this Commission. This applicant has with many other such companies pioneered in the business and the evidence in this proceeding indicates that a dependable and satisfactory service has been accorded the public as rapidly as the public requirements could be ascertained and as fast as the necessary finances could be secured to equip the line with proper vehicles and render the service desired by the public. In the absence of substantial complaint regarding the character of service that has been heretofore rendered and

during the period of pioneering and upbuilding of this line applicant is entitled to enjoy the continuance of its operative rights and should be accorded authority for the serving of the additional territory as herein sought.

THE RAILROAD COMMISSION HEREBY DECLARES, That public convenience and necessity require the operation by River Auto Stage Association of an automobile stage line as a common carrier of passengers between Sacramento and Isleton and serving as intermediates the communities at Franklin, Freeport, Clarksburg Landing, Hood, Courtland, Grand Island, Vorden, Walnut Grove and Ryde; provided, however, that the rights and privileges hereby authorized may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

IT IS HEREBY FURTHER ORDERED that no vehicle may be operated under the authority contained in 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.

Dated at San Francisco, California, this 3rd day of February, 1921.

H. J. Loveland
Frank R. Kelly
H. P. Brundage
Dwight Martin
Charles H. Powell

Commissioners.