

ORIGINAL

Decision No. 9663.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of
A. DUNHAM for a certificate of public
convenience and necessity to operate
an automobile stage line for the trans-
portation of passengers and parcels
between San Francisco and Sacramento
via Sausalito, San Rafael, Black Point
Cut-off, Schellville, Napa to Sacramento.
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Application
Number 6562.

W. F. Cowan for Applicant.

J. H. Steinhart by John J. Goldberg
for San Francisco-Sacramento Rail-
road, Protestant.

A. Walter Allen for Sonoma Valley Auto
Stage, Protestant.

Sanborn & Roehl, by A. B. Roehl, for
Western Motor Transport Company,
Protestant.

J. J. Geary for Northwestern Pacific
Railroad Company, Protestant.

H. Kinsell and V. S. Andrus for
Southern Pacific Company, Protestant.

C. E. Brown for San Francisco, Napa
and Calistoga Railway.

BY THE COMMISSION:

OPINION.

A Dunham 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 parcels between San Francisco and Sacramento, via

Black Point Cut-off , serving as intermediates the communities at Sausalito, Corte Madera, Larkspur, San Anselmo, San Rafael, Ignacio, Black Point, Schellville, Napa, Cordelia, Fairfield, Vacaville, Dixon and Davis.

A public hearing on this application was conducted by Examiner Handford at San Francisco; the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked exhibit "B" and attached to the application in this proceeding ; and to operate one round trip daily, serving the communities hereinabove set forth; using as equipment specially constructed automobile stages with adequate accommodations for passenger service.

Applicant relies as justification for the granting of the desired certificate upon the alleged fact that the proposed route between San Francisco and Sacramento is more direct than other existing routes and will therefore be more convenient for prospective patrons desiring to use same; that there is no direct or convenient route of travel from Sausalito and Ignacio and intermediate points to points between Napa and Sacramento; that the present method of transportation results in numerous delays and changes which will be obviated in the proposed service; that but one ferry will require to be used on the proposed route whereas two are at present necessary; and that a large and populous territory now having no adequate or direct service will be accommodated should the certificate herein sought be granted.

Applicant proposes dividing the requested route into two zones; one from San Francisco to Napa including the intermediate points of Sausalito , Corte Madera, Larkspur, San Anselmo, San Rafael, Ignacio, Black Point and Schellville; the

other zone including the territory between Napa and Sacramento which includes the intermediate communities of Cordelia, Fairfield, Vacaville, Dixon and Davis. It is not the desire of applicant to carry passengers locally between San Francisco and Schollville or between Napa and Sacramento or between the intermediate points comprised in each specific zone. Applicant does desire, however, authority for the carriage of passengers originating in either of the above mentioned zones and destined to a point in the other zone. Applicant has made some investigation of the traffic needs in the territory proposed to be served and presented petitions signed by hotel managers in Sacramento and residents of Sausalito and San Rafael. Witnesses for applicant residing at Napa testified as to inquiries received from tourists and transient travelers regarding service to points proposed to be cared for by applicant, such inquiries averaging, according to the testimony of various witnesses, two or three per week and principally as regards service from Napa to Marin County points. At the hearing on this application, the applicant requested an amendment eliminating the serving of San Francisco and such amendment was allowed resulting in the consideration of this matter being on a basis where Sausalito is substituted for San Francisco as the southerly terminal.

The granting of this application is protested by the Sonoma Valley Auto Stage Line, the Western Motor Transport Company, the Northwestern Pacific Railroad, the Southern Pacific Company and the San Francisco - Sacramento Railroad. The Southern Pacific Company, the San Francisco - Sacramento Railroad and the Western Motor Transport Company all serve the through business between San Francisco and Sacramento and the elimination of applicant's proposed operation into San Francisco and the establishment of the southerly terminal at Sausalito

would still result in a new through service between San Francisco and Sacramento by the use of the Northwestern Pacific Railroad ferry between San Francisco and Sausalito. The proposed fare of applicant between San Francisco and Sacramento is \$3.15 and the time to be consumed in the trip is four and one-quarter hours. The railroad rates are \$5.24 and the average operating time by railroad is three hours and thirty-four minutes, there being available approximately forty-five trains between San Francisco and Sacramento operated by the Southern Pacific Company, the Western Pacific Railroad Company and the San Francisco-Sacramento Railroad. There appears no necessity for any additional through service between San Francisco and Sacramento, even indirectly as would be available by the proposed establishment of applicant's southerly terminus at Sausalito.

Since the hearing on this application, attorney for applicant has requested a dismissal of the application as regards the portion of the route - Napa to Sacramento - applicant having been authorized by Decision Number 8994 on Application Number 6775, as decided May 21, 1921, to acquire the operative rights of the Western Motor Transport Company between Napa and Santa Rosa. This reduces the route of the present application to service between Napa and Sausalito restricted further as to the lack of desire to operate locally in the zone comprised in the territory between Sausalito and Schellville and Napa.

There is no evidence before the Commission in this proceeding that would justify the granting of the certificate on the basis of the territory as now sought after the various amendments and stipulations of applicant are considered and the Commission can not, in the absence of affirmative testimony, grant the certificate as herein sought.

ORDER.

A public hearing having been held in the above entitled proceeding, the matter having been duly submitted and the Commission being fully advised,

THE RAILROAD COMMISSION HEREBY DECLARES, That public convenience and necessity do not require the operation by A. Dunham of an automobile stage line as a common carrier of packages and parcels between Sausalito and Sausalito and,

IT IS HEREBY ORDERED, That this application be and the same hereby is denied.

Dated at San Francisco, California, this 28th day of October, 1921.

H. P. Pennington
H. D. Loveland

H. P. Pennington

Commissioners.