

Decision No. 9952

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of
JAMES W. YOUNG and EARL R. GOLD for
certificate of public convenience
and necessity to operate an automobile
stage line as a common carrier of
passengers between Sausalito and
Calistoga, via Napa, California.

)
:
) Application No. 7335
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)

BY THE COMMISSION,

O P I N I O N

In this proceeding James W. Young and Earl R. Gold, co-partners, have made application to the Railroad Commission in which they apply for a certificate declaring that public convenience and necessity require the establishment of an automobile passenger stage line as a common carrier of passengers between Calistoga and Sausalito via Napa, California.

The service proposed by applicants is the transporting of passengers from Calistoga to Shellville, San Rafael and Sausalito and from Sausalito to Napa, Yountville, Oakville, Rutherford, St. Helena and Calistoga and to operate in such service three round trips each way per day.

The conditions relied upon by applicants as justification for the granting of a certificate of public convenience and necessity as herein applied are as follows: "This application is made in contemplation of creating the passenger service between the points and intermediate points named herein, wherein at the present time your applicants are informed and believe no such service exists." In this connection we desire to call the attention of applicants to repeated decisions of this Commission in which the policy is laid

~~policy to hold~~ down that a public necessity must exist for service as proposed at the time of filing of an application and that no certificate of public convenience and necessity will be granted by the Railroad Commission upon a belief of an applicant or applicants that by the establishment of such service a public necessity may be developed or created.

As regards service between Calistoga and Napa, we desire to direct attention of applicants to this Commission's Decision No. 8634 in Application No. 6337, being an application of the Western Motor Transport Company to operate automobile passenger stage service between Oakland and Healdsburg, which included local service between the intermediate points of Napa and Calistoga, in which decision the Commission held that public convenience and necessity did not require such service between Calistoga and Napa or any points intermediate thereto; also decision in Application No. 6396, Brown and Casson for certificate Vallejo to Calistoga via Napa which was likewise denied. Later under Decision No. 9355 in Application No. 6675, being an application of the Southern Pacific Company to discontinue Trains Nos. 61 and 64 operated between Calistoga and Napa, the Commission authorized the abandonment of this service after a lengthy hearing from which it was conclusively shown by competent evidence that traffic conditions between the points named did not require the continuance of the service at that time being rendered.

As regards the public necessity for the establishment of passenger service between Sausalito and Napa. In Decision No. 9663, in Application No. 6562, this Commission, after hearing, denied an application for the establishment of an automobile stage line as a common carrier of passengers between Sausalito and Napa, serving the same points as herein proposed to be served by applicants, on the ground that no public necessity existed for the service as proposed, and later by Decision No. 9857 in Application No. 7331 denied a similar application between the same points on the ground that no

necessity existed for such service.

We might further call attention to the fact that in the last application above named the rates were materially lower than the rates at present proposed by applicants herein. Applicants' proposed rate Sausalito to Napa being \$1.88 as against \$1.40 as proposed by the previous applicant.


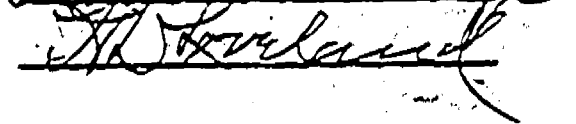
Upon evidence heretofore introduced in connection with hearings recently held on the question of public necessity as regards passenger service between the points proposed to be served by applicants herein and in consideration of the decisions hereinabove mentioned, we are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be denied.

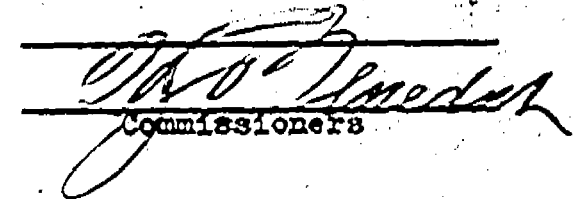
O R D E R

Application having been filed in the above entitled proceeding, the Commission being fully advised and basing its order on the statements of fact as outlined in the preceding opinion,

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

Dated at San Francisco, California, this 30th day of December 1921.


Commissioners