

Decision No. 26228

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
THE RIVER LINES (The California  
Transportation Company, Sacramento  
Navigation Company, and Fay Transpor-  
tation Company) for a certificate of  
public convenience and necessity  
authorizing the transportation of  
freight by auto truck on the public  
highways; 1st, between (a) Pittsburg  
and (b) Antioch and Martinez;  
2nd, between (a) Rio Vista and  
(b) Isleton, Walnut Grove, Ryde,  
Courtland, Vorden, Grand Island Wharf,  
Hood, Clarksburg and Freeport.

Supplemental  
Application  
No. 16016

ORIGINAL

Mc Cutchen, Olney, Mannon & Greene and  
Allan P. Matthew, by F.W. Mielke, for  
The River Lines.

Berne Levy, for The Atchison, Topeka & Santa  
Fe Railway Co.

L. N. Bradshaw, for The Western Pacific Railroad Co.

Beverly C. Gibson, for River Auto Stages, Protestant.

BY THE COMMISSION -

OPINION

By this supplemental application, the River Lines asks that they be authorized (A) to transport freight by auto truck upon the public highways (1st) between (a) Pittsburg and (b) Antioch and Martinez; (2d) between (a) Rio Vista and (b) Isleton, Walnut Grove, Ryde, Courtland, Vorden, Grand Island Wharf, Hood, Clarksburg and Freeport; and (3d) between (a) Isleton and (b) Rio Vista, Walnut Grove, Ryde, Courtland, Vorden, Grand Island Wharf, Hood, Clarksburg and Freeport, in connection with the operation of applicants' vessels, as an alternative or additional means of receiving and delivering freight; and (B) to transport freight by auto truck between Sacramento and Rio Vista and intermediate points, as an alternate means of transportation.

A public hearing was held on the above entitled supplemental application on May 4, 1933, before Examiner Johnson in San Francisco, at which time the matter was submitted.

At the hearing applicants showed that in Decision No.24714, dated April 25, 1932, they were granted authority to transport freight by auto truck from Pittsburg on the one hand and Antioch and Martinez on the other hand, and between Rio Vista on the one hand and Isleton, Walnut Grove, Ryde, Courtland, Vorden, Grand Island Wharf, Hood, Clarksburg and Freeport on the other hand, subject to the condition that such authority should apply only to freight originating at or destined to San Francisco bay points and received from or delivered to applicants' vessels at Pittsburg or Rio Vista. It was also shown that applicants are engaged in the transportation of freight by auto trucks between the points specified in accordance with said authority. The applicants showed as their new proposal a proposition to include in such combined water and truck service traffic from all points of origin and destination now served by applicants by water and also to make Isleton a point of interchange between vessels and auto trucks alternative with Rio Vista as to points now served by auto truck via Rio Vista; that the combined water and auto truck service, including the proposed supplemental service, will be as follows:

- (a) By water between Pittsburg and all other points served by applicants and by auto truck between Pittsburg and Antioch and Martinez.
- (b) By water between Rio Vista and all other points served by applicants and by auto truck between Rio Vista and Isleton, Walnut Grove, Ryde, Courtland, Vorden, Grand Island Wharf, Hood, Clarksburg and Freeport.
- (c) By water between Isleton and all other points served by applicants and by auto truck between Isleton and Rio Vista, Walnut Grove, Ryde, Courtland, Vorden, Grand Island Wharf, Hood, Clarksburg and Freeport.

The applicants showed that in order to expedite the receipt and delivery of freight and to effect certain economies in operation and maintenance they intended to provide between Sacramento and Rio Vista and intermediate points an auto truck service to be alternative with the service by vessel between said points.

Applicants proposed to maintain the same rates for the service to and from existing docks, wharves or warehouses that are now provided in applicants' tariffs for the transportation of freight by vessel or by vessel and auto truck; and applicants proposed to provide by tariff, rule or regulation that freight will be moved to and from the points aforesaid by auto truck via Rio Vista, Isleton and Pittsburg, at applicants' convenience and that freight will be moved between Sacramento and Rio Vista and intermediate points by vessel or by auto truck at applicants' convenience.

The testimony demonstrated that the applicants under the contemplated service would be able first, to avoid stopping their vessels at certain of the points aforesaid, resulting in earlier deliveries at Sacramento and San Francisco, thus improving public service; and second, to effect substantial economies in operation and maintenance by concentrating freight from all points served by applicants at Pittsburg, Rio Vista and Isleton for transportation to and from such other points by auto truck.

The application was protested by Beverly Gibson, operating truck service between Sacramento and Rio Vista and Isleton, and serving all intermediate points, via the route proposed by The River Lines. It appears, however, that this protestant does not now transport the traffic which The River Lines intend to divert from their boat service to a land route and that the measure of injury to him would, probably, be slight or none at all; and the applicants stated at the hearing they were merely offering an alternative route for their already existing business.

The examination and cross examination of applicants' witnesses at the public hearing herein demonstrated that public convenience and necessity require the establishment of the service for which authority is herein sought.

We are of the opinion the application should be granted, and a certificate in lieu of all previous rights will be issued.

#### O R D E R

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation of an auto truck service for the transportation of property (A) (1st) between (a) Pittsburg and (b) Antioch and Martinez; (2nd) between (a) Rio Vista and (b) Isleton, Walnut Grove, Ryde, Courtland, Vorden, Grand Island Wharf, Hood, Clarksburg and Freeport; and (3d) between (a) Isleton and (b) Rio Vista, Walnut Grove, Ryde, Courtland, Vorden, Grand Island Wharf, Hood, Clarksburg and Freeport, in connection with the operation of applicants' vessels as an alternative or additional means of receiving and delivering freight; and (B) to transport freight by auto truck between Sacramento and Rio Vista and the intermediate points before named, and no others, as an alternate means of transportation, said rights being hereby unified and consolidated between any and all points, regardless of origin or destination over and along the following routes:

Leaving Sacramento wharf, Front and M Streets, south on Front Street to Y, east on Y Street to 19th Street, south on 19th Street to Freeport Boulevard, thence in a southerly direction on the main highway (Freeport Boulevard) via Freeport, Hood, Courtland, Paintersville, thence across the Sacramento River westerly, thence southeasterly to a point opposite Walnut Grove which connects Walnut Grove with the main highway by bridge, continuing from this bridge southwesterly to Grand Island Wharf, thence Ryde, thence to a point opposite Isleton, crossing the bridge at Isleton, through the town of Isleton to Rio Vista.

A second or alternative route leaves at a point just below Freeport, across the Freeport Bridge southwesterly to Clarksburg, where connection with the mainland is made by free ferry. At Paintersville the second route continues down the east side of the river through Vorden and Locks to Walnut Grove, continuing on from Walnut Grove on the east side to Isleton.

IT IS HEREBY ORDERED that certificate of public convenience and necessity for such service be and the same hereby is granted to The River Lines in lieu of all previous certificates heretofore granted, subject to the following conditions:

1- Applicants shall file their written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof and stipulating therein that such certificate is accepted in lieu of all rights heretofore granted by Decision No. 24714, dated April 25, 1932, on Application No. 13016.

2- Applicants shall file, in triplicate, and make effective within a period of not to exceed thirty (30) days from the date hereof, on not less than ten days' notice to the Commission and the public a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in Exhibit No. 1, attached to the original application, insofar as they conform to the certificate herein granted, or the rates now provided in applicants' tariffs for the transportation of freight by vessel or by vessel and auto truck.

3- Applicants shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days from date hereof, on not less than five days' notice to the Commission and the public, time schedules covering the service herein authorized, in a form satisfactory to the Railroad Commission.

4- The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission; and

IT IS HEREBY FURTHER ORDERED that Decision No. 24714, dated April 25, 1932, be and the same hereby is revoked and annulled.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 14<sup>th</sup> day of August, 1933.

C. S. Seaver  
Leon C. Whitwell

M. B. Hansen  
M. J. Thompson  
5. COMMISSIONERS.