

Decision No. 27115.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
NORTHWESTERN PACIFIC RAILROAD COMPANY
to increase one-way and individual
monthly commutation, and other fares,
between San Francisco and points in
the County of Marin, California.

Application No. 19338

C. W. Durbrow, for Applicant.

Carlos R. Freitas,	}	For Marvellous Marin, Inc., and for the City of Belvedere, Protestants.
Jerome A. Duffy,		
Thomas F. Keating,		
David B. Nye,		
Benson Wright,		
N. J. Holly,		

Jordan L. Martinelli, for the City of San Rafael,
City of Larkspur, and
City of Fairfax.

H. C. Symonds, City Attorney, for the Town of
Mill Valley.

Henry A. Greer, District Attorney,
for the Board of Supervisors,
Marin County.

Keith Ferguson, City Attorney, for the City of
Corte Madera.

BY THE COMMISSION:

ORDER OF DISMISSAL

In the above entitled proceeding applicant asks authority to increase fares on its combined ferry and electric lines so as to provide a revenue which will be sufficient to cover the cost of providing the service.

A public hearing was conducted in this matter by Commissioner Whitsell at San Rafael on May 22, 1934, at which time applicant made its showing in support of the application.

Rule VII of the Commission's Rules of Procedure, Section 3, provides that in cases where an increase in rates is sought, applicant shall submit evidence showing "a schedule of the present rates, fares, tolls, rentals or charges in effect, and the increases which it is desired to make" and Section 5 of this same rule provides that applicant shall submit "a statement in full of the reason why the increase is desired so that the Commission may clearly see the justification therefor." There is nothing in the application or the evidence presented to the Commission to show what new schedule of fares applicant desires to put into effect. Certain interests opposing the granting of this application moved that it be dismissed on the ground that it does not conform to the Commission's Rules of Procedure in a number of respects.

The presiding commissioner has referred the matter to the entire Commission for determination and after consideration of the contents of the application, together with the showing by applicant, it has been concluded that this application has not presented and supported a proposed fare structure for the Commission's consideration, as prescribed by its Rules of Procedure, therefore,

IT IS HEREBY ORDERED that the above entitled matter is hereby dismissed without prejudice.

Dated at San Francisco, California, this 4th day of June, 1934.

C. L. Leary
Dean A. Kelly
W. A. Carr
W. B. Young
M. J. Thomas
Commissioners.