

ORIGINAL

Decision No. 28448.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of BEVERLY GIBSON, for a certificate of public convenience and necessity to operate auto-stage lines for the transportation of passengers, baggage and express, for compensation, and as a common carrier, between Port Chicago (Bay Point), and San Francisco, California, via Concord, Walnut Creek, Lafayette and Oakland, and intermediate points; also between Willow Pass Junction and San Francisco, California, via Willow Pass Road, Concord, Walnut Creek, Oakland and intermediate points: said service to be rendered in addition to, in conjunction with, and as an extension and enlargement of the transportation service now being rendered by applicant over the route between Sacramento and Port Chicago (Bay Point), California, via Clarksburg, Courtland, Walnut Grove, Antioch and intermediate points.

Application No. 19969.

In the Matter of the Application of MANUEL CARDOZA for a certificate of public convenience and necessity to operate an auto stage line for the transportation of passengers and baggage, for compensation, and as a common carrier, between Rio Vista and Rio Vista Junction in the county of Solano, state of California.

Application No. 20264.

Ware & Ware, by Allison Ware, for Applicant in Application No. 19969.

Ernest I. Spiegl, for Applicant in Application No. 20264.

L. N. Bradshaw, for Sacramento Northern Railway, Protestant in Application No. 19969, and in support of Application No. 20264.

Harry See, for the Brotherhood of Railway Trainmen, Interested Parties.

H. W. Hobbs, for Southern Pacific Company and Pacific Motor Transport Company, protestants in Application No. 19969.

Edward Stern, for Railway Express Agency, Inc.,
protestant in Application No. 19969.

H. C. Lucas and T. Finkbohner, by E. C. Lucas, for
Pacific Greyhound Lines, protestant in
Application No. 19969.

Frank S. Richards, for East Bay Street Railways, Ltd.,
and Key System, protestants.

Robert Brennan and L. E. Sievert, by L. E. Sievert,
for The Atchison, Topeka and Santa Fe
Railway Company.

HARRIS, COMMISSIONER:

O P I N I O N

In Application No. 19969 Beverly Gibson asked for a certificate of public convenience and necessity to operate auto-stage lines for the transportation of passengers, baggage and express, for compensation, and as a common carrier, between Port Chicago (Bay Point), and San Francisco by way of Concord, Walnut Creek, Lafayette and Oakland, and intermediate points; also between Willow Pass Junction and San Francisco, passing through the above mentioned towns and intermediate points.

In Application No. 20264 Manuel Cardoza asked for a certificate of public convenience and necessity to operate an auto-stage line for the transportation of passengers and their baggage, for compensation, and as a common carrier, between Rio Vista and Rio Vista Junction, in the County of Solano, and connect with trains of Sacramento Northern Railway at the latter point. Said Sacramento Northern Railway entered its appearance in opposition to the granting of the Gibson application and in favor of the Cardoza application.

On October 28, 1935, Beverly Gibson filed Supplemental Application No. 19969 asking that an interim order be issued by this Commission granting him a temporary certificate of public convenience and necessity to operate the proposed routes in connection with his existing routes in the Delta area as an emergency measure, as the Delta area is now without any direct means of public transportation from and to the San Francisco Bay area.

Public hearings on Supplemental Application No. 19969 and Application No. 20264 were held in Rio Vista on November 26, 1935, and in San Francisco on December 3rd and 5th, 1935.

Beverly Gibson proposes to operate daily three round trips between San Francisco and Sacramento by way of Port Chicago and the Antioch Bridge, and serve all the Delta area between said bridge and Plantation Inn near Sacramento. Applicant Gibson does not propose to handle any through passengers between Sacramento and the bay area or any passengers locally between Antioch and the bay area. The purpose of this operation is to provide common carrier passenger and express service between the Delta area and the San Francisco Bay area.

Manuel Cardoza, in Application No. 20264, proposes a service between Rio Vista and Rio Vista Junction and connecting with the trains of the Sacramento Northern Railway at the latter point. Said railroad operates through electric passenger trains between Sacramento and San Francisco. Cardoza proposes to make connections with certain of these trains to and from both San Francisco and Sacramento in the morning and in the late afternoon.

The Cardoza service would provide transportation for people from Rio Vista only, whereas the Gibson proposal would

supply service for the entire Delta area, including the towns of Rio Vista, Isleton, Walnut Grove, Courtland and Freeport.

Much evidence was produced to show that the Delta area is without direct public transportation to the San Francisco Bay area at this time and that such a transportation is a necessity. The Gibson application proposes to serve the entire Delta area through a long additional haul between Rio Vista and Oakland, whereas the Cardoza application proposes to serve only Rio Vista with a short additional operation in connection with the Sacramento Northern Railway.

It is quite apparent that if a coordinated service could be perfected between Beverly Gibson and the Sacramento Northern Railway, it would be possible to work out a reasonably good service between the Delta area and the San Francisco Bay points.

At the conclusion of the hearing on December 5th, the representatives of Beverly Gibson and the Sacramento Northern Railway were requested to confer with the engineers of our Engineering Division in an endeavor to work out such a coordinated service. This conference was held in the Commission's offices on December 11th. At the conference it was agreed that the two parties would coordinate their services, using Rio Vista Junction as the transfer point. This service would consist of one trip each way in the morning and one trip each way in the evening. The tentative schedule decided upon is as follows:

	A.M.	P.M.		A.M.	P.M.
R.	6:00	3:45	From Sacramento to	11:25	8:30
A.	7:20	5:05	Rio Vista	10:05	7:10
S.	7:45	5:30	A. Rio Vista Jct. L.	9:40	6:45
S.	7:53	5:32	A. Rio Vista Jct. L.	9:38	6:41
N.	10:15	7:55	A. San Francisco L.	7:40	4:40

A schedule as outlined above will give the residents of the Delta area approximately six hours in San Francisco and return the same day. Conversely, people going to the Delta area would have a similar time for their business and return in the same day.

In order to provide the residents of the Delta area immediately with a service to San Francisco, this coordinated service should be established. Beverly Gibson now holds an operative right between Rio Vista and Rio Vista Junction, therefore no additional certificate need be issued to provide this service.

In view of the coordinated service hereafter to be provided for, it appears that Supplemental Application No. 19969 should be denied. The proposed coordinated service will operate over the route proposed in the Cordoza application and, therefore, it is apparent that decision should be withheld in Application No. 20264 until the final determination of Application No. 19969.

The following form of Order is recommended.

O R D E R

The matter having been submitted and being ready for

decision

IT IS HEREBY ORDERED that Applicant Beverly Gibson and Protestant Sacramento Northern Railway be and they are hereby authorized to establish a coordinated auto-stage and electric railway service between the Delta area in Sacramento County and San Francisco, substantially as outlined in the foregoing Opinion, subject, however, to the following conditions:

- (1) Applicant and Sacramento Northern Railway shall, within twenty (20) days from the date hereof, inaugurate the coordinated service herein authorized on not less than one (1) day's notice to the Commission and the public.
- (2) Applicant and Sacramento Northern Railway shall file with this Commission tariffs and/or joint tariffs and time schedules in accordance with the rules of this Commission not less than one (1) day prior to the inauguration of said service.
- (3) The Commission reserves the right to make such further orders as in its judgment public convenience and necessity may demand.

The authority herein granted shall become effective on the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 16th day of December, 1935.

Leon White
W. A. Lewis
W. B. Blaine
James R. DeWitt

Commissioners