

Decision No. 28799

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC GREYHOUND LINES, INC., a cor-
poration, for certificate of public con-
venience and necessity to operate a pas-
senger stage service, as a common carrier
of passengers, baggage and express, be-
tween West Side Junction and Modesto via
Vernalis, with the restriction that no
local passengers shall be transported be-
tween Tracy and points between West Side
Junction and Vernalis and intermediate
points.

ORIGINAL

Application No. 20502.

BY THE COMMISSION:

O P I N I O N

The Pacific Greyhound Lines, Inc., seeks a certificate of public convenience and necessity for the establishment and maintenance of service by motor vehicles as a common carrier of passengers, baggage and express between West Side Junction, a point three (3) miles east of Tracy and Modesto via Vernalis. Applicant now operates between Tracy and Modesto via Manteca. The new routing sought is three (3) miles less than the routing via Manteca and is not subject to the congested traffic conditions on the main route. Applicant proposes no local service between Tracy and points between West Side Junction and Vernalis, including Vernalis, but does propose to transport passengers from Tracy and Vernalis to and from Modesto, a distance of sixteen (16) miles. The exclusion of points between Tracy and Vernalis is made because

the Southern Pacific and Moyer's stages already provide service between the two points and the certificate proposed by applicant herein will not conflict with the rights of either. Applicant proposes to use the shorter route upon two schedules between San Francisco and Los Angeles in order to improve its operating time and avoid congested conditions on the main route. It also **accepts the restrictions heretofore imposed by Decision No. 23244** on Application No. 16989 and modifications thereof, and also for the consolidation of the right herein sought with said decision as modified.

This is a matter in which a public hearing is not necessary and the application will be granted.

ORDER

Pacific Greyhound Lines, Inc., having made application as above entitled and the Commission being fully advised in the premises,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment and operation of automotive service for the transportation of passengers, baggage and express between West Side Junction and Modesto via State Highway No. 41 between West Side Junction and Vernalis and via State Highway No. 110 between Vernalis and Modesto; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be granted Pacific Greyhound Lines, Inc., subject to the following conditions:

1. Applicant is restricted from carrying any passengers, baggage or express locally between Tracy and points between West Side

Junction and Vernalis, including Vernalis; also restricted in the transportation of express to the limitation that no single package shall be accepted for shipment that weighs in excess of one hundred (100) pounds, and all express must be transported on passenger vehicles only except as to property transported for or through the agency of the Railway Express Agency, Inc., and milk and cream and empty containers of such commodities whenever transported to or from a rail junction point in connection with rail transportation thereof, to which said restrictions as to weight and vehicle shall not apply.

2. The operating right herein granted shall be consolidated with and merged into the operating rights of applicant as granted by Decision No. 23244 and modified on Application No. 16989, and applicant is authorized to provide such local and joint interdivision tariff or tariffs as may be necessary to provide through rates between points on the route herein granted and all points on applicant's system.
3. The applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
4. Applicant shall commence the service herein authorized within a period of not to exceed thirty (30) days from the effective date hereof, and shall file in triplicate and concurrently make effective on not less than ten days' notice to the Railroad 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 the exhibit attached to the application in so far as they conform to the certificate herein granted, or rates and rules satisfactory to the Railroad Commission.
5. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than five days' notice to the Railroad Commission and the public, time schedules

covering the service herein authorized in a form satisfactory to the Railroad Commission.

6. 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 obtained.
7. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

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 17th day of May, 1936.

M. B. Harris
Leon O. Whiteley
M. A. Carr
W. H. [unclear]
W. H. [unclear]
COMMISSIONERS.