

Decision No. 20275

~~BEFORE~~ THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of J. M. Atthowe, doing business as the Berkeley Transportation Company for permission to operate Automobile Trucks, as a common carrier of property between Berkeley and Emeryville on the one hand, and San Francisco, on the other hand, as an alternative route and as an emergency during the disturbance of water transportation by strikes and labor troubles.

Application No. 20861

**ORIGINAL**

BY THE COMMISSION

O P I N I O N

J. M. Atthowe operating under the name and style of Berkeley Transportation Company is a common carrier by water between San Francisco on the one hand and Berkeley and Emeryville on the other hand.

By this application authority is sought to substitute auto truck service via the San Francisco-Oakland Bay Bridge and/or the Southern Pacific Golden Gate Ferries for the service currently operated by vessel.

Applicant alleges that strike conditions and labor troubles have interrupted operation of his vessels; that a state of emergency exists and that unless the relief herein sought is obtained he will not be able to conduct his operations and the public will be deprived of service thereunder. A certificate of public convenience and necessity for a substitute auto truck service is sought limited to the period during which applicant will be unable to transport property by water. No tariff or time schedule changes are proposed and service will be confined to points applicant is already authorized to serve.

This appears to be a matter in which a public hearing is unnecessary. The application will be granted.

O R D E R

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation, for a temporary period, by J. M. Atthowe, operating under the name of Berkeley Transportation Company, of auto trucks as a highway common carrier of property between San Francisco and East Bay Points now served by applicant under tariffs now on file with the Commission via the San Francisco-Oakland Bay Bridge and/or the Southern Pacific Golden Gate Ferries.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be and it is hereby granted to J. M. Atthowe, operating under the name and style of Berkeley Transportation Company, subject to the following conditions.

1. Applicant shall immediately file his written acceptance of the certificate herein granted.
2. Applicant shall amend his tariff so as to provide that the rates for the service herein authorized will be those now provided in applicant's tariff for the transportation of like property by vessel.
3. The authority herein granted is limited to service to be performed in lieu of vessel service and is void as soon as applicant is again able to operate vessels between the points involved.
4. The authority herein granted is revocable at any time with or without notice at the discretion of the Commission.

IT IS HEREBY FURTHER ORDERED that during such time as applicant is unable to perform service by vessel such service may be suspended.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day of November, 1936.

W B Lewis  
Ernest A. Williams  
W J. Cunniff  
William W. ...  
Frank R. ...  
COMMISSIONERS