

Decision No. 29587.**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 PACIFIC GREYHOUND LINES, INC., a
 corporation, for authority to estab-
 lish an optional route between San
 Francisco and Oakland via the San
 Francisco-Oakland Bay Bridge.

Application No. 19743.

BY THE COMMISSION:

SECOND SUPPLEMENTAL ORDER

By the terms of the Commission's Order in its Decision No. 29242, dated November 2, 1936, Pacific Greyhound Lines, Inc., was granted a certificate to operate its buses over the San Francisco-Oakland Bay Bridge as an alternate route to its operations between San Francisco and the East Bay district via ferry lines. This certificate was granted with the definite understanding that it would in no way constitute an enlargement of its existing operating rights.

Upon protest from the Key System, Southern Pacific Company, Interurban Electric Railway Company, and the Sacramento Northern Railway relative to the Pacific Greyhound Lines, Inc., transporting local passengers between San Francisco and the East Bay district, within the territory described on Exhibit "E" (which is sometimes referred to as "reserved territory") attached to and made a part of the agreements of March 16, 1936, between the

California Toll Bridge Authority and the Interurban Electric Railway Company, and between the California Toll Bridge Authority and the Key System, the Commission, by its Order dated November 18, 1936, reopened the matter for the purpose of determining whether or not said Decision No. 29242 should be rescinded, altered or amended in any particular. Such a hearing was held at San Francisco, December 4, 1936, before Commissioners Ware and Devlin. On December 10, 1936, the Commission made its further Opinion and Order in this matter which in part reads as follows:

"As already suggested, however, there is no urgency in connection with the instant proceeding which would demand fully rescinding the authority which has been granted to Pacific Greyhound Lines, Inc. Such action would foreclose it completely from the use of the bridge for the transportation of all passengers, regardless of their destination, a result which the Toll Bridge Authority doubtless does not contemplate and which the protestants here do not urge.

Therefore, we may fittingly order merely that the submission of this matter be set aside, and the within application be held open for the Commission's further action when the Pacific Greyhound Lines, Inc., by timely supplemental petition, shall furnish evidence that it has obtained the requisite authority to use the bridge to the extent requested in its application."

Under date of February 17, 1937, the California Toll Bridge Authority advised the Commission by letter that it had acted upon the application of Pacific Greyhound Lines, Inc., for the right to operate certain of its bus lines over the San Francisco-Oakland Bay Bridge with the right to pick up passengers within the territory which is defined as "reserved territory" shown on said Exhibit "E" and that after considering the entire matter the Authority had concluded that it had no objection to the issuance by the Commission of its certificate or certificates of necessity and convenience authorizing the Pacific Greyhound

Lines to establish route or routes crossing the San Francisco-Oakland Bay Bridge, provided that each such certificate of necessity and convenience contained the following condition:

"This permit is granted subject to the express condition that Pacific Greyhound Lines shall not transport local passengers over said bridge, except in equipment at the time being used primarily for the transportation of passengers other than local passengers. The term 'local passengers' as used herein shall be deemed to mean passengers carried and transported upon or across said bridge, who have both origin and destination within the territory described in Exhibit 'E' attached to and made a part of the agreements of March 6, 1936, between the California Toll Bridge Authority and Interurban Electric Railway Company and between California Toll Bridge Authority and Key System, Ltd."

It now appears to the Commission that it should modify its original Order in said Decision No. 29242 to the effect that the operations of the Pacific Greyhound Lines, Inc., with respect to transporting local passengers within the "reserved area" shown on Exhibit "E" should conform to all the conditions prescribed by the Toll Bridge Authority in granting the Pacific Greyhound Lines, Inc., permission to operate over the San Francisco-Oakland Bay Bridge.

Good cause appearing,

IT IS HEREBY ORDERED that the Commission's Order in its Decision No. 29242, dated November 2, 1936, be and it is hereby amended to include the following condition:

- (7) This certificate is granted subject to the express condition that Pacific Greyhound Lines, Inc., shall not transport local passengers over said bridge, except in equipment at the time being used primarily for the transportation of passengers other than local passengers. The term "local passengers" as used herein shall be deemed to mean passengers carried and transported upon or across said bridge, who have both origin and destination within the territory described in Exhibit "E" attached to and made a part of the agreements of March 6, 1936, between the California Toll Bridge Authority and Interurban Electric Railway Company, and between California Toll Bridge Authority and Key System, Ltd.

In all other respects Decision No. 29242, dated November 2, 1936, and Decision No. 29250, dated November 6, 1936, shall remain in full force and effect.

Dated at San Francisco, California, this 5th day of March, 1937.

W. H. Moore
Leon C. Kelly
Frank R. Hume
Raymond J. ...
Ray & Cherry
Commissioners.