

Decision No. 30760

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of KEY SYSTEM, a corporation, for a Certificate of Public Convenience and Necessity to operate a motor coach service between San Francisco and Treasure Island and Oakland and Treasure Island.

Application No. 21789.

DONAHUE, RICHARDS & HALLIN, by FRANK S. RICHARDS, for the Applicant.

ANDREW J. GALLAGHER, in propria persona.

JOHN J. O'TOOLE, City Attorney, by DIOR R. HOLM, Assistant City Attorney, for the City and County of San Francisco.

HELLER, WHITE & McAULIFFE, by LLOYD W. DINKELSPIEL, for the California Toll Bridge Authority.

H. C. LUCAS and JOHN A. MAATTA, for the Pacific Greyhound Lines, interested party.

WALTER A. ROEDE, for San Francisco Chamber of Commerce.

HARRY A. BOLLES, for the Commandant of 12th Naval District.

T. G. DIFFERDING, for Oakland Chamber of Commerce.

I. S. SEATTUCK, for the Exposition Company.

JOHN D. PHILLIPS, City Attorney, and CHESTER FISK, Assistant City Manager, for the City of Berkeley.

CARL SUNDBERG, for the Gray Line, Inc.

DEVLIN, COMMISSIONER:

FIRST SUPPLEMENTAL ORDER

The Commission, by its Interim Order in Decision No. 30760, dated April 11, 1938, in the above-entitled proceeding, granted Key System a certificate of public convenience and necessity to operate automotive passenger service for a period of ninety (90) days from the date of commencement for the transportation of passengers between and serving the following named termini and along the following routes:

1. Commencing at Santa Fe Bus Terminal, located on 4th Street, between Mission and Market Streets, in the City and County of San Francisco, thence along its regular route over streets in San Francisco and San Francisco-Oakland Bay Bridge to Yerba Buena Island, thence along any highway open to public use and travel and connecting said bridge with Treasure Island, to Treasure Island (site of Golden Gate International Exposition), stops to be made on Yerba Buena Island in accordance with such arrangements as may be made with the Twelfth Naval District.
2. Commencing at Yerba Buena Avenue and San Pablo Avenue in the Town of Emeryville, County of Alameda, thence along San Pablo Avenue to central approach to San Francisco-Oakland Bay Bridge, thence along regular certificated route along central approach to said bridge and along said bridge to Yerba Buena Island, thence along any highway open to public use and travel and connecting said bridge with Treasure Island, to said Treasure Island (site of Golden Gate International Exposition), stops to be made on Yerba Buena Island in accordance with such arrangements as may be made with the Twelfth Naval District.

The Key System and Golden Gate International Exposition on April 14, 1938, filed a second amended application alleging that:

1. Before Key System can commence operation, it must be in a position to assure Golden Gate International Exposition that it is prepared to perform the service to the Exposition, not only prior to the opening of the Exposition, but during the Exposition and for a period thereafter, as set forth in the original application,
2. That Key System must be assured of a certificate as prayed for in the original application before it is justified in making commitments to purchase or lease the necessary motor coaches,
3. That there are other necessary commitments which Key System must make at this time to insure adequate service to the Exposition, which commitments cannot be made until the Company has received from your Honorable Body a certificate as prayed for in the original application,

and thereupon requested that the matter be reopened for the purpose of taking further testimony on the subject of the time limit for the certificate of public convenience and necessity.

A further hearing was conducted in this matter before Examiner Hunter at San Francisco, April 18, 1938.

Witnesses W. P. St. Sure, Vice President of the Key System, and W. P. Day, Vice President of the Golden Gate International Exposition, offered testimony in support of the allegations set forth in the second amended application which are referred to above, to the effect that the parties find it impracticable to negotiate under the said ninety (90) days certificate, particularly with respect to financing the necessary equipment.

The cities of San Francisco and Berkeley, as well as the San Francisco Chamber of Commerce, take the position that they are not opposed to extending the time limit for this certificate to cover the period of the Exposition and terminating on December 31, 1939. These parties do, however, desire an opportunity to participate in any further hearings in which rates are involved. No opposition developed to the request to extend the effective time of this certificate to December 31, 1939.

A careful review of this record leads to the conclusion that the Commission's order in its said Decision No. 30760 should be amended to provide that the certificate of public convenience and necessity will apply to the so-called pre-Exposition and Exposition period and shall terminate on December 31, 1939.

IT IS HEREBY ORDERED that the time limit for the certificate is changed from a period of ninety (90) days from the time of commencement as set forth in said Decision No. 30760 to a period of time from the effective date of this order to December 31, 1939. In all other respects said Decision No. 30760 remains in full force and effect. This order shall become effective on the date hereof.

The foregoing supplemental order is hereby approved and ordered filed as the supplemental order of the Railroad Commission of the State of California.

Dated, San Francisco, California, this 21st day of April, 1938.

Matthew M. ...
Leon ...
Francis P. ...
Robert ...

Commissioners.