

Decision No. 20158.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of THE RIVER LINES (The California Transportation Company and Sacramento & San Joaquin River Lines, Inc.), (a) for leave temporarily to discontinue the local passenger service now being rendered by the vessels "Delta King" and "Delta Queen" on the Sacramento route of applicants, and by the vessels "Port of Stockton" and "Fort Sutter" on the San Joaquin River route of applicants; (b) for an order authorizing such discontinuance of service on less than thirty days' notice.

Application No. 20158

McCutchen, Olney, Mannon & Greene by F.W. Mielke,  
for The River Lines

BY THE COMMISSION:

FOURTH SUPPLEMENTAL OPINION

By supplemental application filed March 21, 1938, The River Lines seeks authority to suspend its service for the transportation of passengers by vessel between San Francisco and Stockton and intermediate points, and from and to Rio Vista (an intermediate point on the San Francisco-Sacramento route) until May 1, 1939.<sup>1</sup>

A public hearing was had at San Francisco on April 14, 1938, before Examiner Davis.

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<sup>1</sup> The River Lines is a unified operation of The California Transportation Company and Sacramento & San Joaquin River Lines, Inc. By Decision No. 28257 of October 1, 1935, The River Lines was authorized to suspend passenger service until May 1, 1936. Thereafter, on a showing that conditions had not changed substantially, the expiration date of the suspension was extended to May 1, 1937, then to June 30, 1937, and again to May 1, 1938.

The only witness to testify was J.H. Anderson, traffic manager of The River Lines. This witness stated that the unstable labor and business conditions which precipitated the original request for suspension still exist, that little improvement is in sight and that the heavy expenditures necessary before passenger service could be resumed are not warranted at this time. He explained that only four boats (the Delta Queen, the Delta King, the Port of Stockton and the Fort Sutter) are available. The Delta Queen and the Delta King are to be placed on the Sacramento run commencing May 1st of this year. The other two boats are steam-propelled stern wheelers which do not comply with the requirements for passenger vehicles contained in the Federal Safety-at-Sea Act, in that they are not equipped with collision bulkheads nor automatic sprinkler systems. To so equip these boats would cost at least \$15,000 each. Even if this were done it would be doubtful, according to Anderson, whether an unlimited passenger certificate could be obtained, inasmuch as the boats are wooden-hulled. Anderson stated, however, that The River Lines has had in mind for some time the construction of a steel-hulled diesel operated vessel capable of carrying 500 tons of freight and 100 passengers and rendering a round-trip service between San Francisco and Stockton each 24 hours. Such a vessel would cost approximately \$200,000. No definite plans in this regard have as yet been made.

In so far as Rio Vista is concerned, Anderson testified that the wharf at that point is still unsafe and that the cost of rebuilding it would be about \$15,000, whereas not more than six dollars of passenger revenue daily could be expected. He pointed out, however, that should freight operation to Rio Vista be resumed it would become necessary to repair the wharf, and passenger service could then be afforded also.

Anderson also testified that in the month of February, 1938,

The River Lines sustained an operating loss of \$18,000, not including depreciation, and that while traffic appeared to be picking up slightly it was not expected that the operating loss would be eliminated entirely in the near future.

No one opposed the granting of the application.

As pointed out in the Third Supplemental Opinion in this proceeding, repeated and lengthy suspensions are ordinarily not in the public interest. However, in view of the circumstances here, and the apparent impracticability of resuming service under existing conditions, the application for a further suspension will be granted.

The granting of this application will not deprive the public of means of transportation as the territory is served by other carriers. Moreover, the fact that applicants have failed to provide service under the operative rights which they hold will be given consideration should a certificate of public convenience and necessity be sought by another carrier ready, able and willing to serve this territory.

#### O R D E R

Public hearing having been held in the above entitled application and the matter having been submitted,

IT IS HEREBY ORDERED that applicants be and they are hereby authorized to continue the suspension of passenger service to and from Rio Vista and between San Francisco and Stockton and intermediate points until May 1, 1939, provided they immediately supplement their tariffs on file with the Commission on not less than one (1) day's notice to the Commission and to the public, to show that their service has been further suspended as authorized herein.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of  
April, 1938.

Walter H. Hays  
Frank C. Whittell  
Frank R. Smith  
Richard A. ...

Commissioners