

Decision No. 31068.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of BEVERLY GIBSON, for )  
a certificate of public convenience and necessity to )  
operate auto stage service for the transportation of )  
passengers, baggage and express, for compensation and )  
as a common carrier, between Antioch and Sacramento; ) Application  
also between Antioch on the one hand and Clyde and San ) No. 21931.  
Francisco, and their intermediate points on the other )  
hand, on the routes now operated by applicant; all of )  
said services to be rendered in addition to, in con- )  
junction with, and as an extension and enlargement of )  
the operating rights now held by and the transportation )  
service now being rendered by applicant in the name of )  
River Auto Stages. )

ORIGINAL

WARE & WARE, by ALLISON WARE, for Applicant  
L. N. BRADSEAW, for Sacramento Northern Railway  
GERALD E. DUFFY, for The Atchison, Topeka & Santa Fe Railway Co.  
R. S. ELLIOTT, for Railway Express Agency, Inc.  
H. C. LUCAS, for Pacific Greyhound Lines  
F. X. Vierra, for Southern Pacific Company

BY THE COMMISSION:

O P I N I O N

In this proceeding Beverly Gibson requests authority to establish and operate an automotive stage service for the transportation of passengers, baggage, and express, as a common carrier, between Antioch and Sacramento; also between Antioch on the one hand and Clyde and San Francisco, and their intermediate points, on the other hand. All of said service is proposed to be rendered in conjunction with and as an enlargement of the operative rights now held and being rendered by applicant.<sup>(1)</sup>

---

(1) Decision No. 29781, in Application No. 19969, granted a certificate of public convenience and necessity to Beverly Gibson for the operation of auto stage service between Port Chicago and San Francisco. Condition (1) of Part II of said decision requires: "(1) No passengers, baggage, or express having both point of origin and destination between San Francisco and Antioch, both points inclusive, and intermediate points, shall be transported"; and condition (2) of Part II of said decision requires: "(2) No passengers, baggage, or express having either point of origin or destination between San Francisco, Antioch, and intermediate points, on the one hand, and Sacramento on the other hand, shall be transported, nor shall applicant Gibson issue any joint tariffs from or to points beyond Sacramento."

Public hearings were held in this matter before Examiner Hall on June 7, and June 14, 1938, at Antioch.

Beverly Gibson now operates a passenger stage service between Sacramento and San Francisco via Rio Vista and Antioch. The service consists of three round trips daily, all of which pass through the City of Antioch, but due to restrictions the people of Antioch can use this service only between Antioch and points along the delta area of Sacramento River.

Applicant produced public witnesses who testified that public convenience and necessity require the proposed passenger and express service between Antioch and San Francisco Bay region and Sacramento. It was also shown that the passenger service of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company had proved inconvenient for the handling of Antioch passengers to both the bay region and Sacramento.

Ward's Auto Bus operates between Antioch and Pittsburg. At the latter point it connects with Sacramento Northern Railway's Pittsburg branch line. This service involves a transfer at Pittsburg to the Pittsburg branch, and a further transfer at West Pittsburg to the main line trains of Sacramento Northern Railway operating between San Francisco and Sacramento.

Pacific Greyhound Lines also operates through Antioch to the San Francisco Bay area, but its certificate does not allow the carrying of passengers locally between Antioch and Bay points. The Santa Fe Transportation Company has been granted a certificate to operate through Antioch with a similar restriction. This service has not as yet been placed in operation.

Pacific Greyhound Lines and the Santa Fe Transportation Company stipulated that they would not oppose the granting of this application, provided applicant herein would not oppose the removal of the Antioch-Bay region restriction from their existing rights.

Applicant agreed to such a stipulation. Sacramento Northern Railway did not oppose the granting of the relief requested.

The only opposition to the granting of this application was voiced by the Railway Express Agency, Inc. This opposition related to the handling of express matter only.

Applicant proposes to handle express matter limited to shipments of one hundred pounds or less and only in its vehicles used for the carriage of passengers, and to limit said express so as not to interfere with the convenient handling of passengers.

Railway Express Agency, Inc., contends that it supplies Antioch with ample express service in connection with the passenger trains of both Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company. This service includes pick-up and delivery.

Witnesses for both applicant and protestant testified that the service of Railway Express Agency, Inc., was satisfactory. Most of these witnesses were of the opinion that the added facility proposed to be supplied by applicant would be very convenient, particularly with respect to small emergency shipments from the San Francisco Bay area. These shipments are now transported to Antioch via both Railway Express Agency, Inc., and Parcel Post. In some cases the receiver has driven to the Bay area to get such emergency packages. These people contend that by the use of applicant's tri-daily service, the necessity of driving to the Bay area for such parcels will largely be avoided.

A review of the entire record in this proceeding leads us to the conclusion that of the several passenger stage services passing through, Antioch has available only a local service between Antioch and Pittsburg which involves transfers from bus to train and from train to train, if destination or origin is Sacramento or San Francisco Bay points. The proposed service will provide continuous transportation, without transfer, to both Sacramento and the Bay region.

With respect to express, it is concluded that the amount of express matter which will be handled by applicant will be nominal and will not seriously affect the business of Railway Express Agency, Inc.

The record clearly indicates that conditions (1) and (2) of Part II of Decision No. 29781 should be amended to allow applicant to carry passengers and express as prayed for in this proceeding, and the following order will so provide.

O R D E R

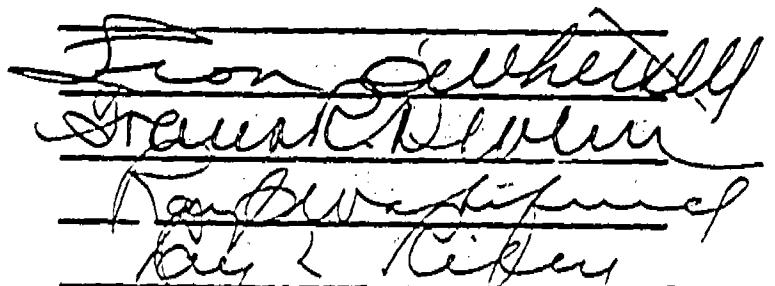
IT IS HEREBY ORDERED that conditions (1) and (2) of Part II, Decision No. 29781 are hereby amended to read as follows:

- (1) No passengers, baggage, or express, having both point of origin and destination between San Francisco and Los Medanos (a point approximately midway between Antioch and Pittsburg), both points inclusive, and intermediate points, shall be transported.
- (2) No passengers, baggage, or express having either point of origin or destination between San Francisco, Los Medanos, and intermediate points, on the one hand, and Sacramento on the other hand, shall be transported, nor shall applicant Gibson issue any joint tariffs from or to points beyond Sacramento.

In all other respects Decision No. 29781, as heretofore amended, shall remain in full force and effect.

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 30<sup>th</sup> day of June, 1938.

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners