

Decision No. 34651

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of SACRAMENTO NORTHERN RAILWAY for a certificate of public convenience and necessity to operate passenger train service over the San Francisco-Oakland Bay Bridge, and for an order approving an agreement with California Toll Bridge Authority covering said operations.

ORIGINAL

Application No. 22501

In the Matter of the Application of KEY SYSTEM, OAKLAND TERMINAL RAILROAD CO. and SACRAMENTO NORTHERN RAILWAY to grant certain trackage rights each to the other.

Application No. 22428

BY THE COMMISSION:

OPINION AND ORDER

In application No. 22501 Sacramento Northern Railway seeks authority to conduct electric train service over the San Francisco-Oakland Bay Bridge for the transportation of passengers, baggage, express and mail in conformity with the contract which it has executed with the California Toll Bridge Authority for the use of such bridge. Such contract is similar in its essential features with those heretofore executed between Toll Bridge Authority, Key System and Interurban Railway, approved by the Commission in its Decision No. 28671 of March 23, 1936.

The use of the Bay Bridge by the Sacramento Northern Railway on terms similar to those accorded Key System and Interurban Railway having been contemplated and provided for by those contracts which the Commission heretofore has fully considered, it is believed that the instant application should be granted and that a public hearing thereon is not required.

By application No. 22428 the Commission is requested to authorize Key System, Oakland Terminal Railroad Company and Sacramento Northern Railway to enter into an agreement covering the use of track facilities which may be utilized in common between the bridge railway and Havens Station, a point on the track of the Sacramento Northern Railway near the Alameda-Contra Costa County line.

At the present time the passenger cars of the Sacramento Northern Railway are handled by Key System from 40th Street and Shafter Avenue, Oakland, to the Key System pier, from which point passengers are transported by the Key System ferry facilities to and from San Francisco. The junction at 40th Street and Shafter Avenue is also used for interchange of freight traffic with Oakland Terminal Railroad Company. With the inauguration of train service over the bridge, the Sacramento Northern Railway will use the tracks now leased by Key System from Oakland Terminal Railroad Company from 40th Street and Shafter Avenue, Oakland, to the bridge railway.

The proposed agreement also provides for the possible use of the Sacramento Northern Railway tracks by Key System between 40th Street and Shafter Avenue to Havens Station near the Alameda-Contra Costa County line, and the substitution of Key System service for the transportation of local passengers between such points. This substitution of service is not contemplated immediately, however, and is subject to the Commission's further consideration.

The proposed contract will replace the existing joint track agreement made by the predecessors of the applicant parties. It appears, therefore, that some new arrangement is necessary for the continuation of passenger and freight service by the respective carriers, and that a public hearing upon the application is not required.

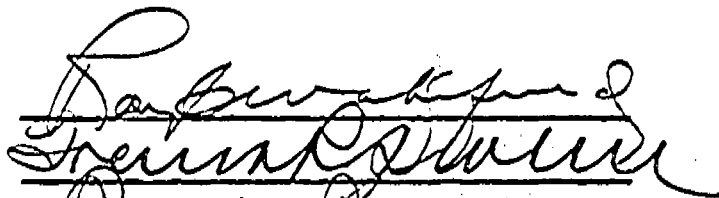
The Commission, having considered each of the above-entitled applications, finds that public convenience and necessity require the granting, and the Commission does hereby grant to the respective applicants, certificate and authority, subject to the conditions and reservations hereinafter provided, as follows:

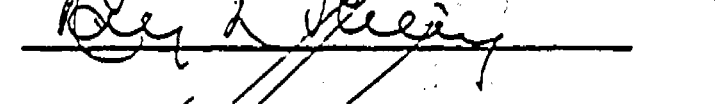
- (1) Sacramento Northern Railway to conduct an electric railway service for the transportation of passengers, baggage, and express over the railway facilities of the San Francisco-Oakland Bay Bridge between Oakland and San Francisco; and Sacramento Northern Railway is hereby authorized to enter into that certain agreement with California Toll Bridge Authority, dated September 22, 1938, respecting the operation of its electric railway trains over said bridge, as set forth in Exhibit "A" attached to Application No. 22501.
- (2) Key System, Oakland Terminal Railroad Company, and Sacramento Northern Railway are authorized to enter into that certain agreement set forth in Exhibit "A" attached to Application No. 22428, respecting the trackage rights of each; it being understood, however, and it is a condition of this Order, that Sacramento Northern Railway is not hereby authorized to discontinue local passenger service between the station of Havens and 40th Street and Shafter Avenue, Oakland, nor is Key System to extend its passenger train service over the tracks of Sacramento Northern Railway between said points, without further authorization of this Commission first obtained.


It is a further condition to the authority herein granted to each of the applicants in these proceedings that nothing in the agreements herein authorized shall be taken as in any way controlling the Commission's future action in any proceeding involving the rates charged or service rendered by any of said applicants.

The authorization herein given shall be effective as of January 15, 1939.

Dated at San Francisco, California, this 16th day of January, 1939.







Commissioners