

Decision No. 31804

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE GRAY LINE, INC., a corporation,
for a certificate to transport air
line passengers and their baggage
for compensation, by automobile,
between San Francisco and Oakland
and the airport at Treasure Island
in San Francisco Bay.

Application No. 22485

DOUGLAS BROOKMAN, for Applicant The Gray
Line, Inc.

FRANK S. RICHARDS, for Key System.

BY THE COMMISSION:

O P I N I O N

The Commission, by its ex parte order of Decision No. 31698, dated January 30, 1939, in the above entitled proceeding, granted The Gray Line, Inc., a certificate of public convenience and necessity to operate limousine automobile service for the transportation of air line passengers and their baggage between San Francisco and Oakland, on the one hand, and Treasure Island Air Base, on the other hand, as an extension and enlargement of other limousine operative rights in the San Francisco Bay area.

Key System, by its petition filed January 31, 1939, asked that the order of said Decision No. 31698 be rescinded and the matter be set for public hearing.

The Commission, on February 6, 1939, ordered that the matter be reopened for the purpose of determining whether said Decision No. 31698 should be rescinded, altered or amended.

A public hearing was conducted in this matter by Examiner Hunter at San Francisco, February 14, 1939. The evidence offered by the parties consisted of the filing of a stipulation dated

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February 9, 1939, and signed by The Gray Line, Inc., and Key System. This stipulation was received as Exhibit No. 1, which provides in part as follows:

"IT IS HEREBY STIPULATED AND AGREED:

1. That The Gray Line, Inc., shall file this stipulation with the Railroad Commission of the State of California and shall request said Railroad Commission to modify said Decision No. 31698 in conformity with the provisions hereof;
2. That upon the filing of said stipulation with said request, Key System shall dismiss said petition to rescind Decision No. 31698;
3. That a supplemental order shall be made in the above entitled matter, incorporating and making a part thereof:
 - (a) This stipulation;
 - (b) Restricting and limiting the service of The Gray Line, Inc., to service to passengers arriving or departing on planes, and their baggage, between Oakland and San Francisco termini and Treasure Island Air Base;
 - (c) Limiting the operation to performance by limousine automobiles, the maximum capacity to be ten (10) passengers;
 - (d) Fixing the rate at not less than One Dollar (\$1.00) per passenger, plus bridge tolls."

It appears that the only modification that should be made in the Commission's order of said Decision No. 31698, as reflected by the record adduced at the hearing in this matter, is one to provide for the maximum capacity of the limousine automobiles to be engaged in the transportation service involved herein.

By the terms of the order in said Decision No. 31698, the authorized transportation was restricted to the transportation of passengers and their baggage between termini only (San Francisco and Oakland on the one hand and Treasure Island on the other hand) and only to those passengers arriving or departing on airplanes operated to or from Treasure Island Air Base, which, in effect,

appears to be the same as that provided for in the stipulation. Therefore, this phase of the situation calls for no further discussion.

With respect to that portion of the stipulation referring to the minimum rates to be charged by applicant, obviously this is a matter the Commission would not attempt to fix at this time for all future operation, as the matter of rates is one to be determined upon a record based upon prevailing conditions, which conditions may change in the future, and thereby justify a change in the rate structure.

The other matters set forth in the stipulation do not impress the Commission as ones which require special comment at this time. If and when any of the various elements become pertinent issues before the Commission, they will be given due consideration, and the various terms of this stipulation will then be given such weight as the Commission may deem appropriate.

After carefully considering the record in this matter, it is concluded that certain changes should be made in the order to provide for the size of equipment to be employed in this service; therefore,

O R D E R

IT IS HEREBY ORDERED that that portion of the order of Decision No. 31698, reading as follows:

"IT IS ORDERED that a certificate of public convenience and necessity therefor is hereby granted to The Gray Line, Inc., subject to the restriction:

Service may be given to passengers and their baggage between termini only and only to those passengers arriving or departing on airplanes operated to or from Treasure Island air base,

and subject to the following conditions:"

be amended to read as follows:

IT IS ORDERED that a certificate of public convenience and necessity therefor is hereby granted to The Gray Line, Inc., subject to the restriction:

- 1- The service authorized herein shall be restricted to the transportation of passengers and their baggage between termini only and limited to passengers arriving or departing on airplanes which are operated to or from Treasure Island Air Base;
- 2- The service shall be performed by limousine automobiles, the maximum capacity to be ten (10) passengers;

and subject to the following conditions:

In all other respects the order in said Decision No. 31698 remains in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 6th day of March, 1939.

Richard A. ...
Paul ...
Ray ...
...
Justus B. Coe
Commissioners