

Decision No. 21798

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CHARLES PIERSON SLOCOMBE for per-)
mission to transfer certificate of)
public convenience to the PACIFIC)
WATER TAXI COMPANY.)

ORIGINAL

Application No. 21798

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

By Decision No. 32177 of July 18, 1939, in the above entitled application, Charles Pierson Slocombe, an individual doing business as City Water Taxi Company, was authorized to sell and Pacific Water Taxi Company, a co-partnership consisting of E.A. Judd and Ed V. Turner, was authorized to purchase, a common carrier operating right for the transportation of persons and property by vessel between Long Beach-Los Angeles Harbor and Avalon, Santa Catalina Island, subject to certain conditions.¹ Among those conditions was one requiring that appropriate withdrawal and adoption notices be filed within twenty days. This condition was not complied with, however, and the authority to transfer lapsed.

Supplemental application has now been filed seeking a renewal of the authority. It is alleged that applicant sincerely attempted to comply with all of the conditions of the Commission's order; that due to applicant's unfamiliarity with the Commission's tariff rules the withdrawal and adoption notice filed was not in proper form and was rejected by the Commission; and that applicant

¹ The authority granted by Decision No. 32177, supra, was a renewal of authority originally granted by Decision No. 31971 of May 2, 1939, in Application No. 21798.

was not able to prepare and file a proper notice within the time specified.

It appears that this is a matter in which a public hearing is not necessary and that the authority granted by Decision No. 32177, supra, should be renewed.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the authority granted by Decision No. 31971 of May 2, 1939, as renewed by Decision No. 32177 of July 18, 1939, be and it is hereby again renewed, subject to compliance by applicants with the following conditions:

- (1) Applicant, Charles Pierson Slocombe, shall, within thirty (30) days from the effective date of this order, unite with applicant Pacific Water Taxi Company, a copartnership, in common supplement to the tariffs on file with the Commission covering service given under the certificate herein authorized to be transferred, applicant Charles Pierson Slocombe on the one hand withdrawing and applicant Pacific Water Taxi Company on the other hand accepting and establishing such tariffs and effective supplements thereto as its own.
- (2) Applicant, Charles Pierson Slocombe, shall, within thirty (30) days from the effective date of this order, withdraw time schedules filed in his name with the Commission and applicant Pacific Water Taxi Company, a copartnership, shall, within thirty (30) days from the effective date of this order, file in duplicate, in its own name, schedules covering the service heretofore given by applicant Charles Pierson Slocombe, which time schedules shall be identical with the time schedules now on file with the Commission in the name of applicant Charles Pierson Slocombe, or time schedules satisfactory to the Commission.
- (3) The rights and privileges herein authorized may not be sold, leased, transferred or assigned, nor service thereunder discontinued, unless the written consent of the Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.
- (4) No vessel may be operated by applicant Pacific Water Taxi Company, a copartnership, unless said vessel is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Commission. A copy of any such lease or leases must be filed with the Commission.

(5) The authority herein granted shall lapse and be void if the parties hereto shall not have complied with all of the conditions within the periods of time fixed herein unless, for good cause shown, the time shall be extended by further order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 19th

day of September, 1939.

Robert W. Brown
Grant W. Brown
Ray L. Gentry
H. B. Baker
Justice F. Palmer
Commissioners.