

Decision No. 33426

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CALIFORNIA-NEVADA STAGES, INC., for a certificate of public convenience and necessity to operate auto stage lines for the transportation of passengers, baggage, and express, as a common carrier, for compensation, between Marysville, Oroville, Chico, and intermediate points, over the routes and between the points herein set forth.) Application No. 19954

In the Matter of the Application of BEVERLY GIBSON for a certificate of public convenience and necessity to operate auto stage lines for the transportation of passengers, baggage, and express, for compensation, and as a common carrier, between Port Chicago (Bay Point) and San Francisco, California, via Concord, Walnut Creek, Lafayette and Oakland, and intermediate points; also between Willow Pass Junction and San Francisco, California, via Willow Pass Road, Concord, Walnut Creek, Oakland, and intermediate points; said service to be rendered in addition to, in conjunction with, and as an extension and enlargement of the transportation service now being rendered by applicant over the route between Sacramento and Port Chicago (Bay Point), California, via Clarksburg, Courtland, Walnut Grove, Antioch, and intermediate points.) Application No. 19969

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; also between Antioch on the one hand and Clyde and San 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 conjunction 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.) Application No. 21931

In the Matter of the Application of SACRAMENTO NORTHERN RAILWAY, for an order authorizing the discontinuance of passenger train operations in the counties of Solano, Yolo, Sacramento, Sutter, Colusa, Yuba, and Butte, State of California.) Application No. 23175

In the Matter of the Application of PACIFIC GREYHOUND LINES for certificate of public convenience and necessity to operate automotive stage service for the transportation of passengers, baggage, and express between Sacramento and Woodland, California.) Application No. 23178

In the Matter of the Application of PACIFIC GREYHOUND LINES for certificate of public convenience and necessity to operate automotive stage service for the transportation of passengers, baggage, and express between Robinsons Corner and Woodland via State Route No. 87.) Application No. 23198

In the Matter of the Application of BEVERLY GIBSON, doing)
business as Gibson Lines, and River Auto Stages, for a)
certificate of public convenience and necessity to operate)
auto stages as a common carrier, for compensation, of)
passengers, baggage, newspapers, and express, between (a))
Colusa and Marysville, and intermediate points, and (b))
between Marysville and San Francisco and/or Oakland via)
Knights' Landing, Woodland, Davis Junction, Dixon, Fair-)
field, etc., and (c) between Marysville and Sacramento, and)
intermediate points, via Rio Oso, Pleasant Grove, etc., and)
to unify, coordinate, and consolidate said proposed ser-)
vices with the service now rendered and sought to be ren-)
dered by applicant as California-Nevada Stages, Inc., and)
River Auto Stages, between Chico, Oroville, Yuba City,)
Marysville, Lincoln, Roseville, Folsom, Sacramento, Stock-)
ton, Rio Vista, Concord, Walnut Creek, Oakland, San Fran-)
cisco, and points intermediate thereto.)

Application
No. 23264

In the Matter of the Application of CALIFORNIA-NEVADA)
STAGES, INC., for permission to transport thru passengers)
over its Garden Highway Division between Sacramento and)
Yuba City and Sacramento and Marysville, and to consoli-)
date the operative rights of applicant to operate auto)
stages for the transportation of passengers, baggage, ex-)
press and newspapers as a common carrier, for compensation)
with operative rights of applicant to so operate between)
Sacramento and Marysville, via Roseville, Lincoln, Wheat-)
land; also to unify, coordinate, and consolidate both said)
operative rights with all the other operative rights now)
held or sought by applicant or Beverly Gibson, doing busi-)
ness as River Auto Stages and/or Gibson Lines; and for the)
issuance of an "in lieu" certificate in the name of)
"Gibson Lines," which certificate will incorporate all of)
the operating rights now held or which may be hereafter)
granted to applicant, or any person, firm, or corporation)
affiliated with it through ownership, control, or other-)
wise, in any proceeding now pending before the Commission.)

Application
No. 23271

In the Matter of the Application of SACRAMENTO NORTHERN)
RAILWAY for an order authorizing the abandonment of auto)
stage operations between Oroville and Portola and inter-)
mediate points.)

Application
No. 23326

In the Matter of the Application of PACIFIC GREYHOUND)
LINES for a certificate of public convenience and neces-)
sity to operate automotive stage service for the trans-)
portation of passengers, baggage, and express between)
Oroville and Portola.)

Application
No. 23337

RILEY, COMMISSIONER:

INTERIM OPINION

Sacramento Northern Railway, by the Order in Decision No.
33009, has been authorized to abandon passenger train service between
West Pittsburg and Chico on its main line, and on its Woodland and

Colusa branches. The effective date of such suspension was extended to August 30, 1940, by Order Extending Time, dated July 3, 1940, unless sooner expressly permitted by the Commission.

It appears from the record in the above proceedings that public convenience and necessity no longer require the continued operation of passenger trains by Sacramento Northern Railway on that portion of its line between West Pittsburg and Sacramento, and furthermore, that by such suspension before the final determination in all the matters herein involved, the restriction contained in the rights now held by Beverly Gibson for his passenger stage operations between San Francisco and Sacramento should be modified in order to allow him to transport passengers, baggage, and express between Sacramento and the east portal of the Low Level Tunnel in Contra Costa County, both inclusive, and all intermediate points, provided that no local passengers be carried between Los Medanos and San Francisco, as required by Condition (1) of Decision No. 31778.

Through passengers between the section north of Sacramento and the Bay area could no longer be carried by Sacramento Northern Railway, but these passengers, with little inconvenience, could transfer at Sacramento from or to existing carriers by use of either local or joint tickets.

It is recommended that such an interim order be issued and that a final determination of the entire matters be made in a subsequent Order.

INTERIM ORDER

IT IS HEREBY ORDERED that the Sacramento Northern Railway is authorized to abandon its passenger train service between West Pittsburg and Sacramento, and to cancel in conformity with the rules of this Commission all tariffs and time tables involved therein, on not less than five (5) days' notice to the Commission and the public.

IT IS HEREBY FURTHER ORDERED that the remainder of the passenger train service authorized to be discontinued by the Order in Decision No. 33009, in Application No. 23175, is hereby extended to and including October 30, 1940, unless sooner expressly permitted by the Commission.

IT IS HEREBY FURTHER ORDERED that condition (2) of Part II of the Order in Decision No. 29781, dated May 24, 1937, in Application No. 19969, as amended by Decision No. 31778, in Application No. 21931, relating to the operations of Beverly Gibson between San Francisco and Sacramento via Walnut Grove be and it is hereby amended to read as follows:

"(2) No passengers, baggage, or express, having either point of origin or destination in San Francisco or Oakland, 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."

subject to the following conditions:

- (1) The modification of said condition (2) shall be placed into effect upon not less than five (5) days' notice to the Commission and the public, and by the filing of appropriate tariffs; and concurrently with the abandonment by Sacramento Northern Railway of its passenger train service between West Pittsburg and Sacramento.
- (2) In all other respects Decision No. 29781, as amended by Decision No. 31778, shall remain in full force and effect.

The foregoing Interim Opinion and Order are hereby approved and ordered filed as the Interim Opinion and Order of the Railroad Commission of the State of California.

The effective date of this Order shall be five (5) days from the date hereof.

Dated at San Francisco, California, August 20, 1940.

Ray L. Riley
Frank W. Smith
Robert H. Brown
John P. Hill
Justice J. Green
Commissioners