

ORIGINAL

Decision No. 34216

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JOHN FRANK NOLAN and CARL SIMON for)
certificate of public convenience and)
necessity to operate passenger stage) Application No. 23720
service between Sharp Park, San Mateo)
County, and Sloat Boulevard and Junip-)
ero Serra Boulevard in the City and)
County of San Francisco.)

R. A. RAPSEY, for Applicants.

IVORES DAINS, for Market Street Railway
Company, Protestant.

BY THE COMMISSION:

O P I N I O N

This is an amended application by John Frank Nolan and Carl Simon for authority to establish and operate an automotive service as a common carrier of passengers between Sharps Park and Edgemar in the County of San Mateo, on the one hand, and the intersection of Junipero Serra Boulevard and Portola Drive in the City and County of San Francisco, on the other hand.

A public hearing in this matter was had in San Francisco before Examiner McGettigan on Thursday, May 1, 1941 where testimony was taken, exhibits filed, the matter submitted, and it is now ready for decision.

Market Street Railway Company, although protesting the granting of this application as made, was agreeable to the establishment of the proposed service provided the route of operation

was amended to include a connection with its street car lines at Daly City.

Applicants, according to the record, are proposing to establish a daily service, consisting of seven round trips between termini. ⁽¹⁾

The following fare structure is proposed:

| | |
|--|--------|
| Single fare, one way in either direction to or from Sharps Park or San Francisco: | 20¢ |
| Round trip fare, ticket purchased at time of boarding bus, return limit within three days: | 35¢ |
| Single fare, children under eight years of age, one way, either direction: | 10¢ |
| Round trip, children, no reduction: | 20¢ |
| Twenty-ride books, transferable, each ticket entitling holder to one passage in either direction - thirty-day limit: | \$3.00 |

The equipment proposed to be used in this service consists of one Chevrolet carry-all or station wagon with a capacity

(1)

TIME SCHEDULE

| | <u>Read Down</u> | | | | | | |
|-------------------------------------|------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | <u>A.M.</u> | <u>A.M.</u> | <u>A.M.</u> | <u>A.M.</u> | <u>P.M.</u> | <u>P.M.</u> | <u>P.M.</u> |
| Lv. Sharps Park | 6:45 | 7:45 | 9:45 | 11:45 | 4:15 | 5:15 | 6:15 |
| Lv. Edgemar | 6:50 | 7:50 | 9:50 | 11:50 | 4:20 | 5:20 | 6:20 |
| Ar. Jun.Serra Blvd. & Portola Drive | 7:10 | 8:10 | 10:10 | 12:10 | 4:40 | 5:40 | 6:40 |

| | <u>Read Up</u> | | | | | | |
|-------------------------------------|----------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | <u>A.M.</u> | <u>A.M.</u> | <u>A.M.</u> | <u>P.M.</u> | <u>P.M.</u> | <u>P.M.</u> | <u>P.M.</u> |
| Ar. Sharps Park | 7:45 | 8:45 | 10:45 | 1:40 | 5:10 | 6:10 | 7:10 |
| Ar. Edgemar | 7:40 | 8:40 | 10:40 | 1:35 | 5:05 | 6:05 | 7:05 |
| Lv. Jun.Serra Blvd. & Portola Drive | 7:15 | 8:15 | 10:15 | 1:15 | 4:45 | 5:45 | 6:45 |

of eight passengers. A similar piece of equipment will be available for standby service and additional equipment may be obtained should occasion demand.

Applicants estimate that the service may be operated for approximately 5 cents per mile, ⁽²⁾ exclusive of drivers' wages, and expect to transport approximately fifty passengers per day at the commencement of operation. They have four hundred dollars in cash, one hundred dollars of which was furnished by the vice president and general manager of the Ocean Shore Land Company which is engaged in developing this section of country. He has also guaranteed these operators an additional fifty dollars per month. The partners themselves will do the driving.

Eight public witnesses appeared and testified in behalf of applicants and a petition containing some thirty names was also filed in support of this proposal. In addition, applicants have the endorsement of the Sharps Park Improvement Club and the Ocean Shore Land Company at whose instigation and solicitation the instant applicant was made.

The Sharps Park and Edgemar districts here involved are residential areas with a combined population of approximately one thousand people ⁽³⁾ and are located in the northern portion of San Mateo County. At the present time there is no direct common carrier transportation service, except Pacific Greyhound Lines, available between this area and San Francisco which is the educational,

(2) Approximately a 14-mile round trip and this cost of operation is based upon the experience of the Brisbane Bus Company operating similar equipment in a comparable service.

(3) Typically and generally referred to as "one-car families" made up, for the most part, of average wage earners and small home owners.

shopping, amusement and occupational center for a majority of the residents of the districts. Pacific Greyhound Lines' service consists of one round trip morning and evening in connection with the company's service between San Francisco and Half Moon Bay.

The Market Street Railway Company's protest in this matter was directed against the route proposed to be operated by applicants. The company desired that the route be altered to connect with its Routes 14, 26 and 40 at Daly City rather than at the terminal proposed where connection would be made with its No. 12 route and also with the K line of the San Francisco Municipal Railway.

The record in this proceeding shows, in so far as the residents of Sharps Park and vicinity are concerned, a lack of common carrier transportation service between their district and the connecting electric rail and motor coach lines of the two city systems which leaves them dependent upon allegedly inadequate and unsatisfactory private car facilities for access to the business, amusement and shopping districts of San Francisco.

The record further shows that fares and schedules are satisfactory and that the route proposed by applicants was favored over that endorsed by protestant Market Street Railway Company despite the fact that an advantage in the number of services available would exist on the latter route. Several reasons were advanced for this attitude upon the part of the proponents of the route sought by applicants. These were,

- (1) Connection would be afforded with both the Municipal K Line and the Market Street 12 Line affording access to the downtown district via the Twin Peaks Tunnel and access to Fleishacker pool, zoo and playfield, Golden Gate Park and the Richmond and Sunset Districts, respectively.

- (2) Immediately adjacent to the Portola Drive Terminal is the West Portal shopping district which is extensively patronized by Sharps Park residents.
- (3) The Daly City junction point was considered as less desirable because of traffic conditions and the fact that access to portions of the city of San Francisco, other than the downtown district, was more difficult.

In so far as Pacific Greyhound Lines' existing service was concerned, it was evident that as to local needs it was not adequate. In fact, the company waived protest to the granting of the application.

From this record it appears that, although a limited public need exists for service over the route and upon the basis submitted by applicants, there is some doubt as to whether or not this service can be conducted at a profit. The public, however, should be given the opportunity of demonstrating, through their patronage, that there is justification for the establishment of this service and its continued operation on a profitable basis.

Furthermore, as this service, according to the record, is to be subsidized, in part, by the Ocean Shore Land Company, real estate subdividers of the section of country here involved and therefore interested in its development, it appears reasonable to require that patrons of this line be so advised in order that no misapprehension may arise as to the future of this enterprise should sufficient public support not be forthcoming. To this end, therefore, applicants will be required to post, in a conspicuous place in any and all equipment used in this service, a notice to the public of this subsidy so long as this arrangement is in effect. The application will be granted subject to such a condition.

O R D E R

A public hearing having been had in the above-entitled proceeding, evidence having been received, the matter having been duly submitted, and the Commission now being fully advised,

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to John Frank Nolan and Carl Simon for the establishment and operation of an automotive service for the transportation of passengers as a passenger stage corporation, as such is defined in section 24 of the Public Utilities Act, between Sharps Park and Edgemar, San Mateo County, on the one hand, and the intersection of Junipero Serra Boulevard and Portola Drive in the City and County of San Francisco, on the other hand.

IT IS FURTHER ORDERED that in the operation of said passenger stage corporation service John Frank Nolan and Carl Simon shall comply with and observe the following service regulations:

1. File a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.
2. Subject to the authority of this Commission to change or modify such at any time by further order, conduct said passenger stage service over and along the following route:

via Ocean Shore Road to its intersection with Skyline Boulevard; thence via Alemany Boulevard Extension to its intersection with Junipero Serra Boulevard; thence via Junipero Serra Boulevard to its intersection with Portola Drive.

3. File in triplicate and concurrently make effective within a period of not to exceed sixty (60) days from the effective date of this order, on not less than five (5) days' notice to the Commission and the public, a tariff or tariffs

constructed in accordance with the requirements of the Commission's General Orders and containing rates, rules and regulations which in volume and effect shall be identical with the proposed rates, rules and regulations shown in the exhibits attached to the application herein, in so far as they conform to the certificate herein granted, or rates, rules and regulations satisfactory to the Railroad Commission.

4. File in triplicate and make effective within a period of not to exceed sixty (60) days from the effective date of this order on not less than five (5) days' notice to the Commission and the public, time schedules covering the service herein authorized in a form satisfactory to this Commission.
5. So long as the operation is conducted under the subsidy arrangement, post and at all times maintain in their buses a notice substantially as follows:

This motor coach line is subsidized in part by the Ocean Shore Land Company.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 20th day of May, 1941.

W. H. Baker
Ray L. Riley
Justice F. Cameron
Francis R. Havens
Richard L. ...
COMMISSIONERS