

Decision No. 33616

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of BEVERLY GIBSON, d/b/a River Auto Stages and/or Gibson Lines, to sell, and CALIFORNIA-NEVADA STAGES, INC., a corporation, to purchase, the operative rights, automotive equipment, and personal property used by Beverly Gibson, doing business as aforesaid as a passenger stage corporation, between certain points in the State of California.

ORIGINAL

Application No. 23769

HARRY A. ENCELL, for Applicants.

H. C. LUCAS and H. D. RICHARDS, by H. D. Richards, for Pacific Greyhound Lines.

DONAHUE, RICHARDS and HAMLIN, by Thos. K. McCarthy, for East Bay Transit Company and Key System.

BY THE COMMISSION:

OPINION AFTER REHEARING

In its Second Supplemental Application, filed January 17, 1941, as amended by Amended Second Supplemental Application, filed May 15, 1941, Gibson Lines requests that the restrictions set forth in Decision No. 33616 in this proceeding be amended in order to allow it to transport passengers, baggage and express locally between Concord and Los Medanos, in Contra Costa County, and to transport passengers between Antioch and Concord and intermediate points, on the one hand, and San Francisco and Oakland, on the other hand, on its through schedules operating between San Francisco and Oakland, on the one hand, and Walnut Grove and points north thereof, on the other hand.

A public hearing in this matter was held before Examiner Hunter in Concord on May 16, 1941, at which time the matter was taken under submission.

Applicant presented evidence to show that, in the event Sacramento Northern Railway is authorized to abandon passenger train service as applied for in Application No. 24127, the area between Concord and Antioch will be without adequate public service to and from the Bay Area.

Applicant proposes to establish one-way and round-trip fares for this additional service. It also proposes to transport these passengers on its existing three schedules in each direction between Sacramento and San Francisco, and not place into operation any local schedules between Antioch and Concord, on the one hand, and San Francisco Bay Area, on the other hand.

A number of witnesses residing in the territory between Concord and Antioch testified in support of the granting of this application, contending that there was need of such a service between these points and the Bay Area. On the other hand, no one opposed the granting of this Amended Second Supplemental Application.

It is clear from the record that if the Sacramento Northern Railway is authorized to discontinue its rail passenger service between Pittsburg and San Francisco, public convenience and necessity will be served by a modification of the restrictions set forth in Decision No. 33616 to permit applicant to transport passengers, baggage and express locally between Antioch and Concord and intermediate points, and between Antioch and Concord and

intermediate points, on the one hand, and Oakland and San Francisco on the other hand.

The following order will so provide.

SECOND SUPPLEMENTAL ORDER

A public hearing having been held and the matter having been duly submitted;

IT IS HEREBY ORDERED that restriction 5 (as it appears on sheet 6 of the typed copy of Decision No. 33616) be and it hereby is amended to read as follows:

- 5(a) Passengers, baggage, and express may be transported locally between Antioch and Concord and intermediate points, and between Antioch and Concord and intermediate points, on the one hand, and San Francisco and Oakland, on the other hand, in through schedules operating between San Francisco and Oakland, on the one hand, and Walnut Grove or points north thereof, on the other hand.
- (b) No passengers, baggage, or express may be transported between Los Medanos and Concord and intermediate points, on the one hand, and any point west of Concord to and including Temescal Junction, on the other hand.
- (c) No passengers, baggage, or express shall be transported locally between Temescal Junction and Concord and intermediate points, all points inclusive.
- (d) No commutation fares shall be published locally in the territory between Antioch and San Francisco, both points inclusive.

In all other respects Decision No. 33616 shall remain in full force and effect.

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

Dated at San Francisco, California, this 27th day of May, 1941.

[Handwritten Signature]

Justus J. Calver
Francis L. Hayward
[Handwritten Signature]
COMMISSIONERS