

ORIGINAL

Decision No. 34865

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
THE RIVER LINES (The California)	
Transportation Company and Sacramento)	
& San Joaquin River Lines, Inc.) for)	Application No. 20785
a certificate of public convenience)	(Second Supplemental)
and necessity authorizing a highway)	
common carrier truck service between)	
San Francisco Bay points and Sacramento.))	

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION

By its second supplemental application filed on October 3, 1941, The River Lines seeks authority to perform "alternate" truck service as a highway common carrier from Stockton to Oakland, serving the intermediate points of Antioch, Pittsburg and Martinez, via two routes shown on a map attached to the application and marked Exhibit "A". The proposed service is intended to alternate with and be supplemental to common carrier vessel service now being rendered by the applicant from and to the designated points.

The applicant is engaged in the operation of vessels as a common carrier of property on the inland waters of this State between San Francisco and East Bay points, on the one hand, and Stockton and Sacramento and intermediate points on the other hand. By Decisions Nos. 31209 and 32649 in this proceeding, applicant was authorized, with certain restrictions, to operate highway common carrier service between San Francisco Bay points on the one hand, and Stockton and Sacramento, on the other hand, as alternative and supplemental to the existing vessel service. The certificate granted by the latter decision contains a restriction that no truck service may be performed from Stockton to Oakland.

(1)
The instant application, if granted, would remove that restriction.

As justification for the instant proposal to perform truck service from Stockton and certain intermediate points to Oakland in lieu of vessel service, the applicant alleges that due to withdrawals of numerous vessels from intercoastal service, vessel sailings from San Francisco Bay ports have materially declined in number and frequency particularly during the last several months. It is further asserted that by reason of the less frequent sailings, regular calls by applicant's vessels at Oakland are no longer required with respect to Stockton traffic. In conclusion, applicant states that traffic from Stockton and the above mentioned intermediate points, to Oakland can at various times be handled by auto truck and thus relieve the vessel service and at the same time effect substantial economies in the cost of operation.

Common carriers now providing transportation services from Stockton to Oakland and the other aforesaid points have advised the Commission that they have no objection to granting the authority here sought. The Port of Stockton which originally urged the imposition of the restriction upon applicant against performing highway common carrier service westbound from Stockton to Oakland now advises that it has no objection to the Commission's granting the instant application by an ex parte order.

(1) By Decision No. 34565, of September 2, 1941, in Application No. 23843, applicant is also authorized to transport property as a highway common carrier from San Francisco to Antioch, Pittsburg and Martinez in alternate and supplemental service.

In the light of the record in this matter a public hearing does not appear to be necessary. The establishment of alternative highway common carrier service designed to handle reduced tonnage at a saving in operating cost with no lessening of service to the public will be in the public interest and should be authorized. While no time limit will be placed upon the enjoyment of the certificate granted herein it is to be understood that the authority will continue during the period of the present national emergency and that applicant will not abandon its vessel service and endeavor to perform all of its westbound service from Stockton to Oakland by truck. The new service is intended only as alternative and supplemental to existing vessel service and when the present emergency has passed, applicant will be expected to file an appropriate application to abandon the alternate truck service and resume regular vessel service from Stockton to Oakland.

The request to serve the intermediate points of Antioch, Pittsburg and Martinez on westbound schedules from Stockton to Oakland is reasonable because these are intermediate points on the applicant's present vessel route and are served by its vessels. Permission to serve these points will also be granted. The said points are located on one of the two truck routes proposed to be used by the applicant from Stockton to Oakland. The other route sought by applicant, via U. S. Highway No. 50, is shorter and more direct with no service to be performed at intermediate points. Both routes are necessary to efficient truck operation and their use should be authorized. The following order will so provide.

O R D E R

Based upon the foregoing opinion and finding of the Commission that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to The California Transportation Company, a corporation, and Sacramento & San Joaquin River Lines, Inc., a corporation, doing business jointly as The River Lines, to operate an automotive service as a highway common carrier as defined by Section 2-3/4 of the Public Utilities Act, from its terminal at Stockton, on the one hand, to its terminal at Oakland, on the other hand, serving the intermediate points of Antioch, Pittsburg and Martinez enroute, as alternative and supplemental service to the existing vessel service of The River Lines from Stockton to Oakland. Said operations herein authorized may be consolidated with alternative highway common carrier service authorized by Decisions Nos. 31209 and 32649 in this proceeding and Decision No. 34565, in Application No. 23843, respectively. The foregoing certificate is granted subject to the following conditions:

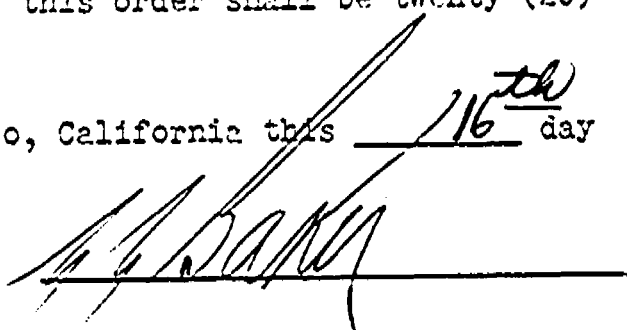
- a. Applicant shall continue the operation of vessel service for which the highway common carrier operation herein authorized is an alternate and supplemental service. In the event said vessel service is discontinued by the applicant, the certificate of public convenience and necessity herein granted will become void and subject to cancellation and revocation by the Commission.
- b. The River Lines, their successors or assigns shall never claim before this Commission or any court or other public body a value for the authority hereby granted in excess of the actual cost thereof.

IT IS FURTHER ORDERED that in the operation of the highway common carrier service authorized by the foregoing certificate of public convenience and necessity, The River Lines, Inc. shall comply with the following service regulations:

1. The applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicant shall commence the service herein authorized within a period not to exceed thirty (30) days from the effective date hereof and shall file, in triplicate, and make effective on not less than five (5) days' notice to the Railroad Commission and the public, appropriate tariffs and time schedules prepared in accordance with the requirements of the Commission's General Orders insofar as may be necessary to accomplish the establishment of the alternative and supplemental service herein authorized.
3. Subject to the Commission's right to change said routes at any future time, the highway common carrier service herein authorized shall be conducted over and along the following alternate routes;
 - a. From Stockton to Oakland via U. S. Highway No. 50.
 - b. From Stockton to Oakland via State Highway No. 4, via Antioch and Pittsburg, (serving Martinez as an off route point) to Pinole, thence via U. S. Highway No. 40 to Oakland.

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

Dated at San Francisco, California this 16th day of December, 1941.


Justus J. Calver
Francis L. Havener
Richard P. Packer
COMMISSIONERS