

Decision No. 34969

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of JOSEPH L. GREEN and NORMAN H. ROBOTHEAM, d.b.a. TWIN CITIES TRANSIT, for a Certificate of Public Convenience and Necessity authorizing them to operate a motor coach service between Yuba City and Marysville, California, for the transportation of passengers only.)
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) Application
) No. 24492
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In the Matter of the Application of SACRAMENTO NORTHERN RAILWAY for authority to discontinue the operation of street car service within and between the cities of Marysville in the County of Yuba and Yuba City in the County of Sutter, State of California.)
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) Application
) No. 24554
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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.)
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) Application
) No. 19954
) (Petition for Modification of Decision No. 33488)
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)

L. N. BRADSEAW, for Applicant Sacramento Northern Railway.

H. A. ENCELL, for Applicant Gibson Lines.

NORMAN ROBOTHEAM, for Applicants Green and Robotham, d.b.a. Twin Cities Transit.

HARRY SEE, for Brotherhood of Railroad Trainmen.

N. D. PRITCHETT, for Order of Railroad Telegraphers.

F. E. CARLIN, for City of Marysville.

A. B. ATTERBURY, for Marysville District Chamber of Commerce.

LLOYD E. HEWITT, for City of Yuba City.

H. C. BEAL, for Marysville Merchants Association.

H. C. LUCAS, H. D. RICHARDS, and T. FINKBOHNER, for Pacific Greyhound Lines, Interested Party.

RILEY, COMMISSIONER:

O P I N I O N

In the above-numbered proceedings the Commission has before it: (1) the application of Joseph L. Green and Norman H. Robotham,

d.b.a. Twin Cities Transit, for a certificate of public convenience and necessity to perform passenger service by bus between Marysville and Yuba City (Application No. 24492); (2) the application of Sacramento Northern Railway to abandon street car service between Marysville and Yuba City (Application No. 24554); and (3) the request of Gibson Lines for the removal of the restriction prohibiting it to carry passengers between Marysville and Yuba City (Condition (1) of Part IV of Decision No. 33488 in Application No. 19954).

A public hearing was held in these matters at Marysville on December 4, 1941, at which time the matters were consolidated for hearing and submitted for determination.

Sacramento Northern Railway now operates street car service between the intersection of Second and C Streets, Marysville, and Yuba City, via Second Street, D Street, 5th Street, in Marysville, and Bridge Street and private right of way in Yuba City. This service is performed by one-man street cars daily between approximately 6:00 a.m. and 11:00 p.m. on a headway generally of 30 minutes.

A review of Exhibit No. 1 indicates that since 1929 this operation has resulted in either a deficit or a very small return to the Sacramento Northern Railway; however, during the years 1938 to 1940, as well as the first nine months of 1941, the operation resulted in a loss.

Prior to the abandonment of through passenger service (1) all of the track maintenance was charged to through service and none to the local service. Since the through passenger service was abandoned, however, the track maintenance expense and paving through the

(1) By Decision No. 33009 in Application No. 23178 Sacramento Northern Railway was authorized to discontinue all through passenger train service on its main line between West Pittsburg and Chico via Marysville and Yuba City, and on its Woodland and Colusa Branches.

the City of Marysville must be carried by the local service, which has materially increased costs allocated to the street car operation.

Applicant Sacramento Northern Railway signified that it did not desire to abandon this service until a substitute service could be provided.

Joseph L. Green and Norman E. Robotham, d.b.a. Twin Cities Transit, in Application No. 24492, propose to provide this substitute service by motor coach. They propose to serve not only the same territory as that served by the Sacramento Northern Railway, but to extend the service in Yuba City in order to make a better coverage of the city's population. In Marysville they propose to operate along 5th Street to C Street, thence along C Street to 4th, and thence along 4th Street to J Street, which covers practically the same territory now served by the Sacramento Northern Railway. Applicants further propose an alternate route along 6th Street to provide service at times when proper service cannot be performed on 5th Street on account of street work, movement of troops, etc. The alternate route proposed is clearly shown by Exhibit No. 3. Applicant believes that the route proposed in Yuba City will reach to within two blocks of 95 per cent of the city's population.

With a 5-cent fare applicants expect to increase the revenue by 15 per cent over the average by Sacramento Northern Railway for the last five years, resulting in a profit the first year of approximately \$2,300. For the performance of this service applicants will acquire two new buses at a cost of approximately \$20,000, and commitments have been received from the manufacturer that these buses will be delivered by about March 1, 1942.

The schedule proposed is as follows:

On weekdays, exclusive of Sundays and holidays, a 20-minute headway between 6:30 a.m. and 9:30 p.m., and a 30-minute headway between 9:30 p.m. and 11:00 p.m.

On Sundays and holidays a 30-minute headway is proposed all day.

It was stipulated at the hearing that public convenience and necessity required the operation of some form of public transportation between Marysville and Yuba City, preferably by motor coach.

The California Nevada Stages, Inc., now known as Gibson Lines, requests that subdivision (1) of Part IV of Decision No. 33488, dated September 17, 1940, stating "(1) No passengers, baggage, or express shall be transported between Marysville and Yuba City" be removed and applicant authorized to carry passengers between said points. Gibson Lines proposes to handle said passengers on its existing through service between Marysville and Yuba City, at the minimum fare now in effect throughout its system, and not install any local service. This company showed that it had spare empty seats on practically all of its through schedules as it passes through Marysville and Yuba City, and could accommodate such passengers as would desire to use its service at the higher rate of fare without inconveniencing its through passengers.

Various organizations in the Marysville-Yuba City area presented evidence to show that they were desirous of having bus service installed in lieu of the existing street car service of Sacramento Northern Railway, and no protest was voiced against the granting of any of the proposals.

It is concluded from the entire record that the areas involved can be served as well, if not better, by the proposed bus service of Twin Cities Transit than by the existing rail service of Sacramento Northern Railway. With respect to Gibson Lines, its proposed service will to some extent divert travel from the local operations; however, owing to the higher fare and infrequency of schedules this diversion should be negligible. It is understood, however, that this fare will be not less than 10 cents; that all service will be performed by applicant's through service; and that no local schedules

will be inaugurated.

It is recommended that the requests be granted and the following form of order will so provide.

O R D E R

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

IT IS HEREBY ORDERED:

I. That Sacramento Northern Railway is hereby authorized to abandon all local street car service between Marysville and Yuba City, subject to the following conditions:

- (1) Said street car service shall be abandoned concurrently with the commencement of operation by Twin Cities Transit, as hereinafter authorized, and not before.
- (2) Applicant shall, in conformity with the rules of this Commission, cancel all passenger rate tariffs and time schedules applying to said street car service.
- (3) Sacramento Northern Railway shall not remove, or allow to be removed, any tracks, overhead trolley, or appurtenances thereto, nor dispose of or dismantle the passenger equipment involved herein, until further order of this Commission.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission in writing of the abandonment of the facilities authorized herein and of its compliance with the conditions hereof.

II. A certificate of public convenience and necessity be and it is hereby granted to Joseph L. Green and Norman H. Robotham, d.b.a. Twin Cities Transit, a passenger stage copartnership, for the operation of local passenger stage service between the cities of Marysville and Yuba City, subject to the following conditions:

- (1) Applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from the effective date hereof.
- (2) The service herein authorized shall commence within a period of not to exceed ninety (90) days from the effective date hereof.
- (3) The service herein authorized shall be placed into effect concurrently with the withdrawal of local street car service by Sacramento Northern Railway.

- (4) Joseph L. Green and Norman H. Robotham, d.b.a. Twin Cities Transit, their successors or assigns, may 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.

III. That in the operation of said passenger stage service pursuant to the foregoing certificate Joseph L. Green and Norman H. Robotham, d.b.a. Twin Cities Transit, shall comply with the following service regulations:

1. Subject to the authority of this Commission to change or modify same at any time in the future, conduct such passenger operation over and along the following route:

Commencing at the intersection of Bridge and Plumas Streets, Yuba City; thence southerly along Plumas Street to B Street; thence along B Street to Cooper Avenue; thence along Cooper Avenue to Forbes Avenue; thence along Forbes Avenue to Plumas Street; thence along Plumas Street to Bridge Street; thence along Bridge Street, Yuba City, and Fifth Street, Marysville, to C Street, Marysville; thence along C Street to 4th Street; thence along 4th Street to J Street; thence along J Street to 5th Street, Marysville.

With an alternate route at times when service cannot be performed on 5th Street, Marysville, as follows:

From the intersection of 5th and J Streets, thence northerly along J Street to 6th Street; thence along 6th Street to C Street; and thence along C Street to its intersection with 5th Street.

2. Applicant is authorized to turn its motor vehicles at termini or intermediate points either in the intersection of the streets or by operating around a block contiguous to such intersection in either direction, and to carry passengers as traffic regulations of the political subdivision may require.

IV. That subdivision (1) of Part IV of Decision No. 33488, dated September 17, 1940, reading as follows:

"(1) No passengers, baggage, or express shall be transported between Marysville and Yuba City"

shall be amended to read as follows:

- (1) California Nevada Stages, Inc., now known as Gibson

Lines, is authorized to transport passengers, baggage, and express between Marysville and Yuba City;

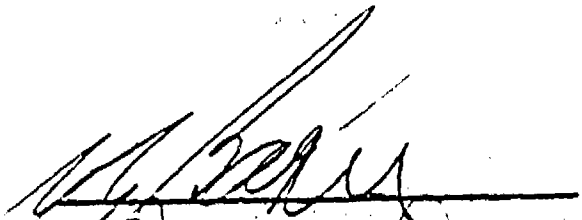
subject to the following conditions:

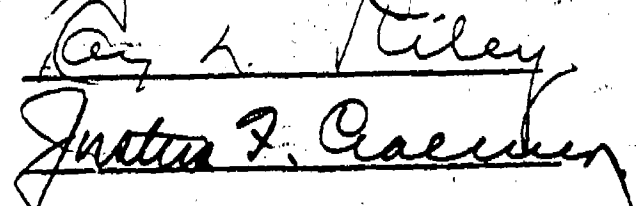
- (1) Said local service shall be performed only by through passenger stages and at the minimum fare now in effect throughout applicant's system.
- (2) Applicant shall comply with the provisions of General Order No. 79 by filing, in conformity therewith, tariffs, in triplicate, within ninety (90) days from the effective date of this order and upon not less than five (5) days' notice to the Commission and the public.
- (3) Said revised condition shall become effective concurrently with the abandonment of rail service by Sacramento Northern Railway and the establishment of passenger stage service by Twin Cities Transit.

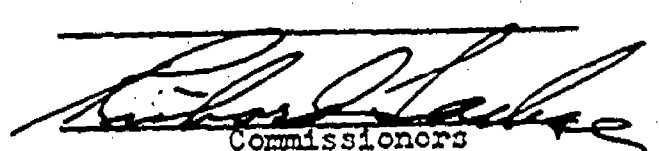
V. The effective date of this order shall be ten (10) days from the date hereof.

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

Dated at San Francisco, California, this 27th day of January, 1942.



W. H. Wiley


Justice F. Coakley


Commissioners