

ORIGINAL

Decision No. 35870

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SANTA FE)	
TRANSPORTATION COMPANY, a California corpora-)	
tion, to establish an alternate route via U.S.)	Application
Highway No. 50 between Stockton and the junc-)	No. 24853
tion of U. S. Highway No. 50 and State Highway))	
No. 120.)	

WM. F. BROOKS, for Applicant.

BY THE COMMISSION:

O P I N I O N

By its application in this proceeding Santa Fe Transportation Company, a corporation, a subsidiary of The Atchison, Topeka & Santa Fe Railway Company, seeks a certificate of public convenience and necessity under Section 50 $\frac{1}{4}$, Public Utilities Act, authorizing the operation of a passenger stage service over U. S. Highway No. 50 between Stockton and the junction of U. S. Highway No. 50 with State Highway No. 120, as an alternate route. A public hearing was had before Examiner Austin at Stockton, on August 12, 1942, when the matter was submitted.

Conformably to Decision No. 30790, as amended, applicant conducts a passenger stage service between San Francisco, Oakland and Stockton, via Manteca.⁽¹⁾ This is routed over U. S. Highway No. 50 and State Highway No. 120 from San Francisco to Manteca, and

(1) By Decision No. 30790, rendered April 18, 1938, in Applications Nos. 20170, 20171 and 20172 (41 C.R.C. 239, 305, 307), applicant was authorized to operate a passenger stage service between San Francisco, Oakland and Stockton, among other points, over two routes, viz., (a) from San Francisco, via U. S. Highway No. 50 to San Joaquin Bridge, thence via State Highway No. 120 to Manteca, thence via U. S. Highway No. 99 to Stockton; and (b) from San Francisco via U. S. Highway No. 40 to its junction with State Highway No. 4 near Pinole, thence via State Highway No. 4 to Stockton. Service over the route last described was abandoned pursuant to Decision No. 33538, rendered September 24, 1940, in Application No. 23662.

thence via U. S. Highway No. 99 to Stockton. As an alternative to the present route by way of Manteca, applicant requests authority to operate from Stockton over U. S. Highway No. 50 via French Camp and Lathrop to the junction of the latter with State Highway No. 120 at San Joaquin Bridge. Assertedly, this would enable applicant to effect certain economies and expedite the service. To substantiate this proposal applicant called its assistant passenger traffic manager, its ticket clerk at Stockton, and some twelve public witnesses.

As indicated by applicant's current time schedules, six round trips daily are offered between Stockton and San Francisco. Over one schedule in each direction through service is provided, the bus leaving Stockton in the early morning, and San Francisco in the evening. ⁽²⁾ As to the remaining five schedules, the service is supplied by a shuttle bus operating between Stockton and Manteca, and by main line buses operating through the latter point, where passengers are required to transfer. It is contemplated that the

(2) Applicant's time schedules in effect on the date of the hearing indicated six daily trips from Stockton to Oakland and San Francisco and eight trips daily in the reverse direction. Of these, one schedule in each direction provided a through service without interchange of passengers at Manteca. Effective August 27, 1942, the service was modified to comprise six trips daily in each direction between Stockton and San Francisco of which one offered through service between those points. The through schedules appear in the following tabulation:

<u>SCHEDULE 72 B</u>			<u>SCHEDULE 73 A</u>	
<u>Effective</u>	<u>Effective</u>		<u>Effective</u>	<u>Effective</u>
<u>8/27/42</u>	<u>7/30/42</u>		<u>7/30/42</u>	<u>8/27/42</u>
<u>5:15</u>	<u>9:15</u>	Lv San Francisco	Ar 9:55	9:55
<u>5:40</u>	<u>9:40</u>	Lv Oakland	Ar 9:33	9:33
<u>7:45</u>	<u>11:45</u>	Lv Manteca	Lv 7:30	7:30
<u>8:15</u>	<u>12:15</u>	Ar Stockton	Lv 7:00	7:00

Figures underscored denote P.M.; others indicate A.M.

through schedules mentioned would be transferred to the alternative route, via San Joaquin Bridge, and the remaining schedules would continue to operate through Manteca.

By the alternate route, it was shown, a more direct service would be provided. This would follow the highway normally used between Stockton, Oakland and San Francisco; ordinarily, this traffic does not flow through Manteca. As the alternate route is five miles shorter than the Manteca route, its use would entail a saving of approximately 310 vehicle miles per month upon the one round-trip schedule which would go that way. This, obviously, would tend to promote the prevailing national policy of conservation of equipment and tires.

From the record it appears that the service over the alternate route would be more expeditious than that now accorded. The time consumed to complete the round trip would be shortened by approximately 25 minutes. This is due to the shorter distance travelled and to the avoidance of railway crossing stops now encountered on the Manteca route.

Applicant would also be enabled to accomplish certain economies. Based on applicant's system average operating cost of 24½ cents per vehicle mile, a saving of \$75.95 per month could be effected on the one round-trip schedule alone. This would be increased substantially if other schedules were operated over the alternate route.

The establishment of the alternate route would permit substantial improvements in the service. Frequently passengers disembarking from the local bus at Manteca have been compelled to wait there as much as one hour because of the late arrival of the main line buses, which are often delayed. Occasionally, the space

available on these buses is not adequate to accommodate the Stockton passengers. Though this condition has been alleviated to some extent by the establishment of the through service mentioned, passengers patronizing the other schedules must continue to suffer these inconveniences.

The through service, it was shown, will accommodate an ever growing number of passengers. Because of the need for conserving both automobiles and tires, a large and constantly increasing proportion of those who formerly travelled by private automobile has been diverted to the common carrier passenger stages. ⁽³⁾ This is reflected by the increased patronage of the bus which leaves Stockton during the early morning. However, the evening bus schedule has not shown a corresponding increase, as some passengers prefer to return from San Francisco on the streamlined train. The hour of departure best suited to the requirements of the public apparently has not yet been ascertained, although several experimental

- (3) The increased patronage of the through bus schedules between Stockton and San Francisco is indicated by Exhibit 2, which shows by months the growth of the load factor during the period, March 1 to July 17, 1942. In respect to those schedules, the exhibit discloses the following information:

	March	April	May	June	July 1-17 incl.
72B-Load Factor Per cent	20.51	30.58	36.42	28.07	27.46
73A " " " "	43.42	41.50	52.58	57.99	64.32
Average load factor for the month	31.96	36.18	44.53	43.03	45.89

The westbound through bus operation between San Francisco and Stockton is designated as Schedule 73A, and the eastbound operation as Schedule 72B.

Although the load factor of the westbound schedule increased, following the month of April (when it fell below March), that of the eastbound schedule increased during April and May, fell off sharply in June and dropped again, slightly, in July.

changes have been made. At the time of the hearing this bus left San Francisco at 9:15 P.M.; subsequently, this was changed to 5:15 P.M.⁽⁴⁾

The inadequacy of the present service, as well as that offered before the inauguration of the through bus service, has been the subject of frequent complaints emanating from the traveling public. For the most part, these have been reported by applicant's drivers and agents to its operating officials, but some have been made directly to the latter.

These complaints were also voiced by the public witnesses produced, who comprised representative business and professional people of Stockton. All of them, it was shown, together with their associates and employees, travel frequently between Stockton and San Francisco. They have been accustomed to use applicant's bus service, although some prefer to use the streamlined train for the return trip. They objected to the delays occurring at Manteca in making connections with the main line buses and to those encountered enroute at the airport. Some have been inconvenienced by late arrival at San Francisco or Oakland. All stated that the proposed alternative service would meet their needs. From their

(4) During the current year, frequent changes have been made in the leaving time of the through bus (Schedule 72B) returning from San Francisco to Stockton. The dates when these revisions became effective, and the hour of departure from San Francisco, are shown in the following tabulation:

March 1, 1942	6:15 P.M.
April 15, 1942.	5:30 P.M.
June 15, 1942	3:15 P.M.
July 30, 1942	9:15 P.M.
August 27, 1942	5:15 P.M.

testimony it appears that to an increasing degree travel by bus has replaced the use of their private cars.

No carrier serving this territory objected to the granting of this application. However, Pacific Greyhound Lines, which also operates a passenger stage service between the points involved, entered into a stipulation with applicant, which was offered in evidence by the latter, providing for the imposition of certain restrictions upon any certificate that might be granted. That carrier did not appear at the hearing. By this stipulation Pacific Greyhound Lines agreed not to protest the granting of this application, and applicant, in turn, undertook to request that the order herein be restricted so that applicant would have no authority to operate more than one schedule daily in each direction over the alternate route for the duration of the war (excepting buses needed to carry overloads of passengers who could not be accommodated by Santa Fe trains); and that applicant would not be authorized to handle passengers locally between Stockton and San Joaquin Bridge. (5)

Although the Commission will give due weight to the stipulations of the parties affecting their respective equities, such as agreements defining the fields within which the operations

(5) Paragraph 2 of the stipulation provides that applicant

"...will not be authorized to transport passengers locally between Stockton and San Joaquin Bridge, excluding San Joaquin Bridge, but this shall not be construed to apply to passengers originating in such restricted territory destined to points outside thereof, or vice versa."

As applicant construes this limitation, it would not be authorized to operate locally between Stockton and San Joaquin Bridge, on the one hand, and the intermediate points of French Camp and Lathrop Junction, on the other. However, under its existing operative rights, applicant will continue to transport passengers between Stockton and San Joaquin Bridge.

of competing carriers may be confined, the Commission cannot thus be foreclosed from determining the scope and extent of the public need which may exist for the inauguration of a transportation service. That fact must be determined in the light of all the evidence, including the stipulation.

In this proceeding it has been clearly shown that public convenience and necessity require the establishment of the alternate route. Service would be expedited; passengers would be spared the inconvenience of transfers enroute, now required, and the incidental delays; and some economies could be effected. There would be no expansion of the existing operations; on the contrary, the operations would be curtailed because of the shorter distance involved, thus promoting the conservation of equipment and tires. Therefore, in granting a certificate authorizing service over the alternate route, we shall impose no limitation upon applicant's operations, thus leaving applicant free to conduct the service so as best to meet the public requirements.

O R D E R

Application having been made as above entitled; public hearing having been had; and the Commission being of the opinion and now finding that public convenience and necessity so require:

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Santa Fe Transportation Company, a corporation, authorizing operation as a passenger stage corporation, as defined by Section 24, Public Utilities Act, over U. S. Highway No. 50 between Stockton and the junction of U. S. Highway No. 50 with State Highway No. 120 (near San Joaquin Bridge)

as a route alternative to that between Stockton and Manteca via U. S. Highway No. 99, as an extension of and to be consolidated with applicant's existing operative rights, created by Decision No. 30790, as amended.

Said certificate is granted subject to the following conditions:

(a) The service performed hereunder by Santa Fe Transportation Company shall be limited to that which may be auxiliary to, or supplemental of, and it shall be co-ordinated and integrated with, the rail service of The Atchison, Topeka & Santa Fe Railway Company.

(b) Santa Fe Transportation Company, its successors or assigns, may never claim before this Commission, or any court or other public body, a value for any purpose for the certificate herein granted in excess of the actual cost incurred by it in securing said operative authority.

(2) That, in the operation of said passenger stage service, Santa Fe Transportation Company shall comply with and observe the following service regulations:

(a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.

(b) Applicant shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than one (1) day's notice to the Commission and the public.

(c) Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said passenger stage service over and along the following route:

From Stockton via U. S. Highway No. 50 to its junction with State Highway No. 120 near San Joaquin Bridge and returning via the same route.

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

Dated at Los Angeles, California, this 20th day of October, 1942.

Justus F. Craven
Ray W. Riley
H. B. K. M.
Frank R. Havenner
Robert D. Hays
COMMISSIONERS