

Decision No. 35968

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of JAMES)
CLINTON KELLY and THOMAS FRANCIS THOMPSON,)
copartners, doing business as RED TOP CAB)
CO., for a certificate of public con-)
venience and necessity to operate a passen-)
ger stage service for the transportation)
of passengers between Santa Rosa and the)
Santa Rosa Air Support Base.)

Application No. 25283

ORIGINAL

BY THE COMMISSION:

O P I N I O N

In the above-entitled application James Clinton Kelly and Thomas Francis Thompson, partners, doing business as Red Top Cab Co., at Santa Rosa, have requested the Commission to grant to them a certificate of public convenience and necessity authorizing the establishment and operation of service as a passenger stage corporation between Santa Rosa and Santa Rosa Air Support Base and intermediate points for the duration of the present war.

It is stated that applicants propose to use one 1941 Plymouth station wagon of 8-passenger capacity for the establishment of the service and the addition of similar equipment as the service may require. A daily round-trip service would be provided on an hourly basis between 6:00 a.m. and 12:00 p.m. It is stated that the Air Base is situated 9.8 miles northwest of Santa Rosa and about 2 miles west of the Redwood Highway. The proposed one-way fare between those points is 35 cents. Intermediate fares would be in proportion. The route would be generally over College Avenue, Monroe Road, Guerneville Highway, Fulton Road and Mark West Road. No other common carrier of passengers serves any of the points involved, except Santa Rosa and Fulton, the latter being an

intermediate point. Fulton is served by Pacific Greyhound Lines by diversion from its main route over the Redwood Highway between Santa Rosa and Healdsburg. Northwestern Pacific Railroad Company operates a rail passenger service between Santa Rosa and Fulton and points north thereof. Each of these carriers has informed the Commission that it does not desire to oppose the granting of the application.

As justification for the authority sought the applicants allege as follows:

That the Santa Rosa Air Support Base, located near the Village of Fulton and approximately 9.8 miles northwest of the city of Santa Rosa, is now in the course of construction.

That in addition to such construction workers and army personnel as may be employed or stationed at said air support base, and who will require transportation service between said air base and Santa Rosa, and other points, there are approximately 1,000 persons living in the area for which service under this application will be available.

That no public service now exists for the transportation of passengers between Santa Rosa and the Santa Rosa air support base, and no passenger carrier service is now operated over the proposed route set forth in this petition.

In our opinion there appears to be a public need for the service proposed by applicants and the application will be granted.

This does not appear to be a matter in which a public hearing is necessary.

O R D E R

It being hereby found that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to James C. Kelly and Thomas F. Thompson, partners, authorizing the establishment and operation of service as a passenger stage corporation, as defined in section 2½ of the Public Utilities Act, for the transportation of passengers between Santa Rosa and Santa Rosa Air Support Base and intermediate points, via Fulton, subject to the following conditions:

1. The authority herein conferred shall expire 180 days after the cessation of the present hostilities.
2. James C. Kelly and Thomas F. Thompson, doing business as Red Top Cab Co., their successors or assigns, may never claim before this Commission or any court or other public body, a value for any purpose for the cost incurred by them in securing said operative authority.

IT IS FURTHER ORDERED that in the operation of the passenger stage service pursuant to the foregoing certificate the following service regulations shall be observed:

1. Applicants 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. Applicants shall comply with the rules of the Commission's 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 five (5) days' notice to the Commission and the public.
3. Applicants shall conduct said passenger stage service over and along the following route subject to the authority of the Railroad Commission to change or modify it at any time by further order:

Beginning at the intersection of "B" and "F" Streets, Santa Rosa; thence along "B" Street, 10th Street, Morjan Street, College Avenue, Monroe Road, Guerneville Highway, Fulton Road, Mark West Station Road terminating at the entrance to the Santa Rosa Air Support Base.

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

Dated at Los Angeles, California, this 18th day of November, 1942.

Ray R. Piper
M. B. Miller
Francis D. Havenner
Richard D. Hulse
COMMISSIONERS