

Decision No. ~~36904~~

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THE GRAY LINE INC., a corporation as)
 Lessor, and PACIFIC GREYHOUND LINES, a)
 corporation, as Lessee, for authority) Application No. 25358
 to suspend certain passenger stage)
 operations between San Francisco, Muir)
 Woods, and Mt. Tamalpais, California.)

BY THE COMMISSION:

ORIGINALO P I N I O N

The above-entitled matter is a joint request by The Gray Line Inc. and Pacific Greyhound Lines requesting authority to suspend certain passenger stage operations between San Francisco, Muir Woods and Mt. Tamalpais for the duration of the war.

The operative right involved is that created by Decision No. 33943, dated February 25, 1941, in Application No. 23986. That proceeding was also based upon a joint application of the same carriers. The order therein granted to The Gray Line Inc., in lieu of its operative rights then held between those points, a certificate of public convenience and necessity authorizing the establishment of a passenger stage service between San Francisco and Mt. Tamalpais and intermediate points, subject to certain restrictions. Decision No. (1)

(1) The grant by Decision No. 33943 was made in the following language:

"IT IS ORDERED that a certificate be and it is granted hereby to The Gray Line Inc. to operate an automotive passenger stage service, as that term is defined in section 27 of the Public Utilities Act, for the transportation of passengers, baggage and express between San Francisco, Mill Valley, Muir Woods, Mt. Tamalpais and intermediate points, subject to the restriction that no passengers or baggage having both points of origin and destination between San Francisco and Mill Valley shall be transported."

The opinion of that decision stated, among other things, that as the granting of that application would require an amendment of the existing certificate of The Gray Line Inc. the right involved would be restated and a new certificate granted therefor.

33943 also authorized The Gray Line Inc. to lease the certificate granted in that decision to Pacific Greyhound Lines for a period of three years from the effective date of that order (February 25, 1941). Pacific Greyhound Lines was authorized to operate said passenger stage service for the term of the lease.

It is asserted that the service rendered pursuant to that certificate has been primarily "on-call" and has been used principally by hikers who desire transportation to or from some point along the route and that there has been no request for this service since December 7, 1941.

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

"By virtue of the authority vested in the Director of Defense Transportation by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156 dated May 2, 1942, and in order to assure a maximum utilization of the facilities, services and equipment of motor vehicle carriers for preferential transportation of troops and materiel of war, and to prevent shortages in motor vehicle equipment necessary for such transportation, there has been issued by the Office of Defense Transportation general orders prohibiting use of bus equipment for unessential transportation services. The type of service offered over this route, as has already been stated, has been used exclusively by hikers. In view of the tire conservation program and contemplated rationing of gasoline, and the growing shortage of adequate facilities to handle the constantly increasing transportation demands of war workers to defense plants, military personnel and civilians, it would be extremely difficult to provide equipment for the transportation contemplated by the certificate if demanded by hikers, and would further be inadvisable since such transportation is unnecessary and unessential to the war effort."

It is further asserted that it is not the desire of applicants to permanently discontinue the service. The request is for a suspension of operation during the period of the present war emergency and as long as the operation may be contrary to the policies established by the Office of Defense Transportation.

After due consideration of the allegations in support of the authority sought, it is our opinion that the request is in the public interest and should be granted. This is not a matter requiring a public hearing.

O R D E R

Application having been made as above-entitled and the Commission now finding that public convenience and necessity so require:

IT IS ORDERED as follows:

(1) That Pacific Greyhound Lines be and it hereby is authorized to suspend, until further order of the Commission, all passenger stage operations between San Francisco, Mill Valley, Muir Woods, Mt. Tamalpais and intermediate points as provided under the operative right and authority created by Decision No. 33943, rendered February 25, 1941, in Application No. 23988, under which The Gray Line Inc. was authorized to lease said operative right to said Pacific Greyhound Lines.

(2) That Pacific Greyhound Lines shall file, in triplicate, within thirty (30) days after the effective date of this order and upon not less than one (1) day's notice to the Commission and the public, supplements to its tariffs and time schedules indicating the suspension of service herein authorized.

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

Dated at San Francisco, California, this 8th day of December, 1942.

Justin F. Casper
W. H. Batty
Francis R. Havenner
Richard Kachse
 COMMISSIONERS