

Decision No. 36694

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
A. J. (BERT) CHAPIN, d.b.a. NORTH)
SACRAMENTO STAGE LINE, for authority)
to extend his operative rights between)
the junction of Marconi Avenue and Howe)
Avenue easterly along Marconi Avenue to)
the junction of Marconi Avenue and Fair) Application No. 25376
Oaks Boulevard (Carmichael), and inter-)
mediate points, and to consolidate the)
proposed extension with the existing)
operative rights of applicant.)

BY THE COMMISSION:

O P I N I O N

A. J. Chapin now provides a passenger stage service between Sacramento and McClellan Field and intermediate points, one of which is Ben Ali situated at the intersection of Ben Ali-Antelope Road and Marconi Avenue. He also provides a passenger stage service between Sacramento and Orangevale and intermediate points, one of which is Carmichael. Carmichael is at the intersection of Fair Oaks Boulevard and Marconi Avenue. In the application here considered Chapin requests a certificate of public convenience and necessity authorizing direct operation between Carmichael and Ben Ali over and along Marconi Avenue between its intersection with Fair Oaks Boulevard at Carmichael and its intersection with Howe Avenue, a short distance southeasterly of Ben Ali.

Applicant alleges that public convenience and necessity require the establishment of service over that route and in support thereof asserts, in effect, that since the establishment of the United States Army Air Depot at McClellan Field a suburban area has

developed contiguous to Marconi Avenue between Howe Avenue and Fair Oaks Boulevard (Carmichael) and that many of the residents of this suburban area require public transportation to and from McClellan Field and to and from North Sacramento and Sacramento. It is further stated that there is no existing public transportation service along Marconi Avenue between Howe Avenue and Fair Oaks Boulevard. ⁽¹⁾ It is alleged that the proposed extension, if consolidated with applicant's existing operations, will provide an adequate and necessary system of transportation between the area proposed to be served and McClellan Field, North Sacramento and Sacramento.

After full consideration of the facts as alleged in this matter we are of the opinion that the authority requested should be granted. The application will so provide. This is not a matter requiring a public hearing.

O R D E R

It being found that public convenience and necessity so require,

-
- (1) Gibson Lines operates a passenger stage service between Sacramento and Folsom and between Sacramento, McClellan Field and Camp Kohler and other points not involved. It has currently on file its Application No. 25400 requesting a certificate to operate over and along Greenback Lane between its junction with State Highway No. 50 (Folsom) and its intersection with U. S. Highway No. 40 in order to provide a more direct service between McClellan Field and the region of Folsom, Orangevale and territory contiguous to Greenback Lane. Gibson Lines has waived protest to Chapin's application.

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to A. J. Chapin 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 Carmichael and Ben Ali and intermediate points, as an extension and enlargement of and consolidated with the operative rights created by Decision No. 35675, rendered August 11, 1942, in Application No. 25106, subject to the following condition:

A. J. Chapin, his 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 him in securing said operative authority.

IT IS FURTHER ORDERED that in providing service pursuant to the foregoing certificate, A. J. Chapin shall observe and comply with the following service regulations:

1. 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 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.
3. Subject to the authority of this Commission to change or modify it at any time by further order, applicant shall conduct said passenger stage operations over and along the following route:

CORRECTION

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

Over and along Marconi Avenue between
its intersection with Fair Oaks Boulevard
at Carmichael and its intersection with
Ben Ali-Antelope Road at Ben Ali.

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

Dated at San Francisco, California, this 5th
of January, 1943.

Justus K. Keenan
H. J. Baker
Francis D. Havenner
Richard Jackson
Spencer D. Carey
COMMISSIONERS