

Decision No. 36806

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of COAST
LINE STAGES, INC. for modification of its
in lieu certificate of public convenience
and necessity to authorize the transpor-
tation of property between San Francisco,
on the one hand, and Petaluma, Santa Rosa
and Healdsburg, on the other hand, as the
underlying common carrier for an express
carrier.

ORIGINAL

Application No. 24925

BEROL & HANDLER, by EDWARD M. BEROL, for applicant.

F. X. VIEIRA, for Petaluma & Santa Rosa Railroad
Company, the Northwestern Pacific Railroad
Company and the Pacific Motor Trucking
Company, protestants.

DOUGLAS BROCKMAN, for Marin-Sonoma Fast Freight,
protestant.

EDWARD STERN, for Railway Express Agency, Inc.,
protestant.

MARON H. GLICKMAN, for Sonoma Express, intervenor
in support of the application.

REGINALD L. VAUGHAN, for Kellogg Express & Draying
Company, intervenor in support of application.

BY THE COMMISSION:

O P I N I O N

This is an application by Coast Line Stages, Inc. for
authority to serve as the underlying highway common carrier for
Sonoma Express, an express corporation, as defined by Section 2(k)
of the Public Utilities Act, for the transportation of property
between San Francisco, on the one hand, and Petaluma, Santa Rosa
and Healdsburg on the other hand.

The application was supported by Sonoma Express and Kellogg Express and Draying Company and protested by Petaluma and Santa Rosa Railroad Company, Northwestern Pacific Railroad Company, Pacific Motor Trucking Company and Marin-Sonoma Fast Freight.

Public hearings were held by Examiner Gannon at San Francisco and the matter was submitted on briefs duly filed.

Subsequently Application No. 25393 was filed in which Robert G. Anderson and John V. Anderson, partners, proposed to acquire from Anna Bezera, doing business as Sonoma Express Company, certain operative rights authorizing operation as an express company and as a highway common carrier, together with the good will of the business, office equipment and supplies, and certain motor vehicle equipment.

By the decision in that application Anna Bezera, doing business as Sonoma Express Company, is authorized to transfer to R. G. Anderson and J. V. Anderson an operative right as an express corporation under which service may be rendered between San Francisco, on the one hand, and certain other points, including Petaluma, Santa Rosa and Healdsburg, on the other hand, together with certain specified equipment.

It is clear that the purchase by the Andersons of the operative right of Sonoma Express, as an express corporation, will nullify the intent of the previous application of Coast Line, and defeat its purpose to extend its operations so as to provide an underlying service for Sonoma Express Company.

In view of these circumstances we have no course to pursue other than to deny the instant application, and it will be so ordered.

O R D E R

The above application having been filed, a public hearing having been held, and the Commission being fully advised,

IT IS ORDERED that the above application is hereby denied.

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

Dated at San Francisco, California, this 11th day of January, 1944.

[Signature]

[Signature]

Francis R. Havenue
[Signature]

COMMISSIONERS