

Decision No. 37222

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SAM P. EBEL for authority to dis-)
continue operation of an automobile)
service as a common carrier between)
Antioch and Pittsburg, California.)

Application No. 26124

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In this proceeding Sam P. Ebel seeks authority to dis-continue the operation of the passenger stage service which he conducts between Antioch and Pittsburg and intermediate points, under a certificate granted to him by the Commission. ⁽¹⁾ In support of his proposal applicant asserts that the operation is unprofitable, that he has been unable to obtain adequate public liability insurance protection, and that the traffic~~s~~ can be accommodated by other means.

The income received, and the expenses incurred in conducting the service during the period October 1, 1943 to April 30, 1944, as reported by applicant, are as follows:

(1) By Decision No. 35273, rendered April 21, 1942, in Application No. 24883, applicant was authorized to operate as a passenger stage corporation between Antioch and Pittsburg and intermediate points.

	<u>Income</u>	<u>Expenses</u>
October 1943	\$ 441.33	\$ 436.41
November 1943	442.46	365.28
December 1943	389.51	379.90
January 1944	436.48	396.89
February 1944	391.93	432.46
March 1944	470.98	375.36
April 1944	402.18	382.45
Total	<u>\$2,974.87</u>	<u>\$2,768.75</u>
Average per month	\$ 424.98	\$ 395.56
Average net profit per month	\$ 29.42(2)	

Applicant, it appears, has been unable to secure public liability insurance in an amount which he desired to provide. Upon expiration of the policy for \$50,000 carried by applicant, on May 4, 1944, that company, as well as others, declined to renew the insurance for an amount exceeding \$10,000 because of the many recent accidents occurring in the Bay area, which they attributed to inexperienced drivers. The policy of \$100,000 which Lloyds of London offered to write at a cost of \$925 was inadequate to meet applicant's requirements, so he stated.

Defense plant employees who have used applicant's service, it was shown, can be otherwise accommodated. At present approximately 470 residents of Antioch are employed at the plants of Columbia Steel Company and Pioneer Rubber Company near Pittsburg. Many of them travel to and from

(2) Applicant's wages, charged at the rate of \$8 per day, have been included in the operating expenses. Certain expenses, such as the cost of oil and lubrication, have been omitted. Thus, the figures shown are quite conservative.

their work in private automobiles operated on the share-expense plan, and some patronize local taxi-cabs. Because of the varying periods during which the employees of these plants are required to work, due to overtime and other exigencies, applicant has been unable to adjust his time schedules to accommodate changes in shifts.

Under the circumstances, the discontinuance of the service will be authorized. This is not a matter in which a public hearing is required.

O R D E R

Application having been made as above entitled; and good cause appearing,

IT IS ORDERED as follows:

(1) That Sam P. Ebel be and he is hereby authorized to discontinue and abandon operation as a passenger stage corporation, as defined in Section 24, Public Utilities Act, between Pittsburg and Antioch and intermediate points; and that the operative right therefor, granted by Decision No. 35273, be and it is hereby revoked.

(2) That all tariffs and time schedules filed with the Commission by applicant, and currently in effect, be and they are hereby cancelled.

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

Dated at Los Angeles, California, July 26, 1944.

Richard Kachse
Justus F. Cooney
Francis D. Havens
George D. ...
James M. ...
COMMISSIONERS