

Decision No. 37587

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
V. FRED JAKOBSEN, an individual doing	)	
business under the trade name and	)	Application No. 26487
style of TRANS-BAY MOTOR EXPRESS CO.,	)	First Supplemental
for authority to extend expiration	)	
date of operation now under suspension.)	)	

BY THE COMMISSION:

**ORIGINAL**

FIRST SUPPLEMENTAL OPINION

This is an application of V. Fred Jakobsen, an individual doing business as Trans-Bay Motor Express Company, requesting a further extension of time within which to resume operation of his common carrier service previously authorized by Decision No. 27975, dated May 20, 1935.

By virtue of a certificate of public convenience and necessity granted them in said Decision No. 27975, William M. Smith and Makin H. Smith, Jr. were authorized to operate a motorcycle truck service, as a common carrier for the transportation of property, between San Francisco, Oakland, Berkeley, Alameda and Emeryville. The service was later extended to include Piedmont. (1)

On May 2, 1939, V. Fred Jakobsen acquired an interest in the operation, and subsequently he was authorized to purchase (2)

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(1) Decision No. 31863, dated March 27, 1939, in Application No. 22497.

(2) Decision No. 31972, dated May 2, 1939, in Application No. 22709.

(3).  
the interests of William M. Smith and Makin E. Smith, Jr. As sole owner of the business, therefore, Jakobsen appears as applicant in this proceeding.

The service heretofore authorized under Decision No. 27975, as modified and extended by Decisions Nos. 29291 and 31863, was, for good cause shown, suspended until and including December 31, 1943. Said service was again suspended, upon the Commission's order, until and including December 31, 1944.

The application before us now requests a further suspension of service of not to exceed 120 days from December 31, 1944, based upon the following circumstances and conditions:

- (a) Applicant has been unsuccessful in locating suitable premises for the establishment of terminals at Oakland and San Francisco and has, therefore, been obliged to negotiate for the rental of terminal facilities formerly occupied at 90 Tehama Street, San Francisco, and 683 - 26th Street, Oakland, both of which are presently occupied. Applicant has been assured that the premises at 683 - 26th Street, Oakland, California, would be made available for his occupancy on, or about, February 6, 1945, and that the premises at 90 Tehama Street, San Francisco, would be made available for his occupancy on, or about, March 1, 1945.
- (b) Applicant has placed orders for new motorcycle equipment, the release of which is subject to authorization by the War Production Board. The present indications are that such equipment will be made available on, or about February 15, 1945. Upon receipt of such equipment, it will be necessary to thereafter install the tandem attachments in order to have a complete unit of the type required by applicant in the performance of his service. That, with respect to the tandem attachments, the manufacture thereof has been considerably delayed by reason of the necessity for complying with

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(3) Decision No. 37433, dated October 31, 1944, in Application No. 26363.

(4) Decision No. 35821, dated October 6, 1942, in Application No. 25273.

(5) Decision No. 36797, dated January 4, 1944, in First Supplemental Application No. 25273.

governmental regulations concerning the allocation of critical materials. Applicant has not yet been advised of the date on which such equipment can and will be available. Applicant has taken such steps as he believes necessary to have the required equipment manufactured locally in the event that it cannot be obtained from the regular manufacturer thereof.

- (c) It is the opinion of applicant that he should not endeavor to resume service until terminal facilities have been provided for and suitable equipment is actually available for the transportation of such traffic as applicant is authorized to handle.

Applicant agrees to resume service in less than 120 days should circumstances so change as to permit him to do so.

Upon due consideration of applicant's request, we are of the opinion that the authority sought is in the public interest and that the application should be granted. There appears no necessity for a public hearing.

FIRST SUPPLEMENTAL ORDER

IT IS ORDERED that V. Fred Jakobsen is hereby authorized to suspend his highway common carrier operations between San Francisco, Oakland, Berkeley, Alameda, Emeryville and Piedmont, as heretofore authorized, and to resume such service on or before May 5, 1945, provided that applicant shall supplement his tariffs and time schedules, in triplicate, reflecting this authority, on not less than one (1) day's notice to the Commission and the public within sixty (60) days from the date hereof.

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

Dated at San Francisco, California, this 3rd  
day of January, 1945.

Richard Lachse

Justin F. Overman

Frank C. Clark

James F. Duval

COMMISSIONERS