

Decision No. 39442

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC GREYHOUND LINES, a corporation,)
for a certificate of public convenience)
and necessity authorizing the trans-)
portation of passengers, baggage and)
express between Vacaville and Winters,)
serving all intermediate points, and)
to consolidate such certificate with)
the remainder of applicant's system.)

ORIGINAL

Application No. 26787

- DOUGLAS BROOKMAN, for applicant.
- REGINALD L. VAUGHAN, for Monticello Utility Corporation, protestant.
- CARL RODEGERDTS, City Attorney of Winters, in support of application.
- A. M. HERRON, President Winters District Chamber of Commerce, in support of application.

O P I N I O N

This is an application of Pacific Greyhound Lines for a certificate authorizing the transportation of passengers, baggage and express between Vacaville and Winters, serving all intermediate points, and to consolidate such certificate with the existing operative rights of applicant. Among these points on the system of applicant, are Vacaville, Fairfield Army Air Base and Davis Junction, all located in proximity to U. S. Highway No. 40. Public hearings were held at Winters and San Francisco and the matter was submitted on August 1, 1946.

Applicant contends there is need for the proposed service in order to afford a shorter and more convenient route between Vacaville and Winters than now exists, and to make available a convenient service for civilians employed at the Fairfield-Suisun Army Air Base at Fairfield, who travel back and forth between Winters

and the Base. In this connection, it appears that the Base is to be a permanent unit of the Air Corps with a large and growing personnel and extensive facilities. There would also be afforded a more direct and frequent service between Winters, Vacaville and Fairfield, on the one hand, and Vallejo and Bay points, on the other hand. At the present time, traffic between Winters and Vacaville is handled in the following manner: passengers are transported in Monticello Utility Corporation buses from Winters to Davis Junction, then transferred to Grayhound buses destined for Vacaville.

Two round trips daily are proposed between Winters and Vacaville with connecting services, leaving Winters at 6:40 a.m. and 3:40 p.m., and arriving at San Francisco at 9 a.m. and 6 p.m., respectively. On the return, leaving San Francisco at 12:50 p.m. and 3:20 p.m., arriving at Winters at 3:15 p.m. and 6 p.m. All schedules are routed via Vacaville. The running time between Winters and San Francisco is 2 hours and 20 minutes.

Passenger fares and express charges will be made applicable to all points on applicant's system. The proposed one-way fare between Winters and Vacaville is 25 cents; round trip, 45 cents. Exhibit No. 3 contains a complete fare schedule to and from all points to be served.

The granting of the application is protested by Monticello Utility Corporation on the ground that the establishment of the proposed service would be competitive with the service now rendered

(1)
by said protestant. Monticello's operation is between Napa and Monticello, thence easterly to Winters and Sacramento. Protestant operates one round trip daily between Monticello and Sacramento, leaving Monticello at 7:30 a.m., arriving at Winters at 8:05 a.m. and at Sacramento at 9:35 a.m.; returning, leaving Sacramento at 3 p.m., reaching Winters at 3:55 p.m. and arriving at Monticello at 4:50 p.m.

A comparison of fares and time en route, present and proposed, shows that a passenger would pay 80 cents for a one-way ticket between Winters and Vacaville, via Davis Junction, a distance of 32 miles, and \$1.50 for the round trip as contrasted with the proposed fares of applicant of 25 cents one-way and 45 cents for the round trip on the more direct route of 14 miles. The proposed route, if established, would result in a saving of some two hours in travel time between Winters and San Francisco. Passengers traveling directly between Winters and Vacaville would save 35 minutes in time.

Witnesses produced by applicant testified that they would use the proposed service both as passengers and as shippers and receivers of express. The granting of the application is favored by the Winters and Vacaville Chambers of Commerce, the Board of Trustees of Winters Joint Union High School, and the Winters Service Club, through oral testimony and written endorsement. These endorsements reflect, in a measure, the trend of community sentiment

(1) Monticello Utility Corporation is a corporation duly organized and existing under the laws of the State of California and authorized, among other things, to "carry and transport mail, express, baggage, freight and passengers by....any means of transportation." It heretofore has been granted certificates of public convenience and necessity by the Commission authorizing the transportation of passengers, express and baggage. (See Decisions Nos. 29139 and 33144)

as to the need for a particular service, and to that extent they are here entitled to consideration.

The protest of Monticello Utility Corporation is based entirely on the apprehension that Pacific Greyhound Lines, if granted the operative right prayed for, would be operating a local service between Winters and Vacaville and would have the right to operate locally between Sacramento and Winters via Vacaville. Thus, a passenger traveling between Sacramento and Winters might avail himself of Greyhound service via Vacaville, to the detriment of Monticello. Greyhound now enjoys the right to operate locally between Sacramento and Vacaville, and with the extension between Vacaville and Winters, could transport passengers locally between Sacramento and Winters.

During the course of the hearings, applicant repeatedly disavowed any intention to compete with protestant's operation between Winters and Sacramento, but declined to enter into any stipulation to that effect. In that event, and in order to protect protestant in its authorized operation, the order herewith will restrict applicant from performing a local service between Winters and Sacramento.

The record herein clearly shows a demand for passenger service between Winters and Vacaville, which, when established, will afford the public quicker access to the Bay Area as well. It would obviate the cumbersome, expensive and longer route via Davis which is now in effect. In the matter of time, it would bring about a saving of two hours to San Francisco and 35 minutes to Vacaville from Winters. Passengers traveling between Winters and the Army Air Base at Fairfield would also require less time.

Pacific Greyhound Lines now operate some 36 schedules daily east and west through Vacaville, and it proposes to link up the Winters-Vacaville route with such schedules.

From a consideration of the facts of record in this proceeding, we are of the opinion that the application should be granted, and it will be so ordered.

O R D E R

A public hearing having been held in the above entitled proceeding, evidence having been received, the matter having been duly submitted and the Commission now being fully advised,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Pacific Greyhound Lines, a corporation, authorizing the establishment and operation of service as a passenger stage corporation as defined in Section 24 of the Public Utilities Act for the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds each on passenger carrying vehicles only, between Winters and Vacaville and intermediate points, as an extension and enlargement of and consolidation with its present operations, subject to the following restriction:

(a) No passengers, baggage or express shall be transported between Winters and Sacramento.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.
- (b) Within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicant shall establish the service herein authorized and 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 appropriate tariffs and time tables.
- (c) Subject to the authority of this Commission to change or modify it by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along the following route:

Over the highway between Vacaville and Winters via Hartley and Allendale, a distance of 14.2 miles.

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

Dated at Los Angeles, California, this 1st day of October, 1946.

Harold P. Kule
Justus J. Cassin
Spencer

R. J. Dunning
 COMMISSIONERS