

Decision No. 39593

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of R. L. and A. L. BENINGER, for a certificate of public convenience and necessity to operate a passenger stage service between Antioch and Sweeney's Beach, as an extension and enlargement of the existing service.)

) Application No. 27605

O P I N I O N

By the above entitled application, as amended, R. L. and A. L. Beninger request a certificate authorizing the establishment of a passenger stage service between Antioch and Sweeney's Beach, situated on the San Joaquin river about one and one-half miles east of the Antioch city limits. Such certificate is sought as an extension and enlargement of applicants' present passenger stage service between Antioch and contiguous points.

A one-way cash fare of 10 cents is proposed. Two daily round trips would be operated and on Sundays and holidays two additional round trip schedules would be provided.

As justification for the authority sought, applicants allege as follows:

Sweeney's Beach is a recreational area situated adjacent to the City of Antioch; that the only available means of transportation to or from Sweeney's Beach is either by use of private passenger cars or by taxicabs, since there is no existing common carrier passenger transportation service operating to or from this resort; that applicant has received numerous requests from residents of the City of Antioch, as well as from the operators of Sweeney's Beach, to establish the common carrier service proposed.

No other carrier operates between the points involved and after careful consideration it is our judgment that a public hearing is not necessary and that the application should be granted.

O R D E R

An application therefor having been filed and it being found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to R. L. and A. L. Boninger authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of passengers between Antioch and Sweeney's Beach and intermediate points as an extension and enlargement of, and consolidated with the operative right created by Decision No. 38875 in Application No. 27144.

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

- a. Applicants 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, applicants shall establish the service herein authorized and comply with the provisions of General Order No. 79 by filing appropriate tariffs in triplicate.
- c. Subject to the authority of this Commission to change or modify it by further order, applicants shall conduct operations pursuant to the certificate herein granted, over and along the following route:

Commencing at Ninth and A Streets, thence along Ninth Street and its prolongation over and along unnumbered County Road (a distance of approximately one and one-half miles), to Sweeney's Beach:

- d. Applicants may turn their motor vehicles at termini or intermediate points either in the intersection of the street, or by operating around a block, in either direction, contiguous to such intersection:

The effective date of this order shall be the date

hereof.

Dated at San Francisco, California, this 4th day of November, 1946.

Harold A. Kuls
Justice F. Callahan
Francis D. ...
...
A. J. ...
 COMMISSIONERS