

ORIGINAL

Decision No. 42597

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 JOHN PAUL STERLING and DANIEL R. )  
 FRANKLIN, partners, doing business )  
 under the firm name of ANTIOCH COACH ) Application No. 29999  
 LINES for authority to extend its )  
 present service for the transportation )  
 of passengers and baggage easterly on )  
 Wilbur Avenue from Sweeney's Beach to )  
 Bridgehead Road. )

In the Matter of the Application of )  
 GIBSON LINES for a certificate of public )  
 convenience and necessity authorizing )  
 it to operate as a passenger stage )  
 corporation for the transportation of ) Application No. 30126  
 passengers, baggage and express over )  
 Wilbur Avenue as an alternate route and )  
 to consolidate such operation with the )  
 remainder of its system. )

YATES F. HAMM and RICHARD E. ARNASEN, for applicant  
 Antioch Coach Lines in Application No. 29999  
 and protestant in Application No. 30126.  
 REGINALD L. VAUGHAN for applicant Gibson Lines in  
 Application No. 30126 and protestant in  
 Application No. 29999.

O P I N I O N

The two applications, as above entitled, involve requests for authority to operate as passenger stage corporations in the area along Wilbur Avenue in Contra Costa County. A public hearing was held by Examiner Gannon at Antioch and, with the consent of the parties, the two applications were consolidated for the taking of evidence and for decision. The applications will be considered in order.

ANTIOCH COACH LINES, in addition to local service in the City of Antioch, operates a motor coach service as a common carrier between Antioch and Sweeney's Beach, a point on Wilbur Avenue approximately one mile east of the City limits of Antioch. In this application it is proposed to extend the Antioch-Sweeney's Beach

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operation from Sweeney's Beach and Wilbur Avenue, its present terminus, eastward to the east line of the Pacific Gas and Electric plant on Wilbur Avenue, a distance of approximately 8/10 miles.

As justification of the proposed service, applicant relies on the following conditions which have arisen in the community:

(a) The area adjacent to Wilbur Avenue, between Sweeney's Beach on the west and Bridgehead Road on the east, a distance of three miles, is a growing community, with the establishment of several industrial plants now in course of construction, among them being the Pacific Gas and Electric Company and Fibreboard Products Company.

(b) These and other industries will require a large number of employees who will need to be provided with public transportation to and from their places of employment, during construction and thereafter. Applicant estimates a present working force of 725 employees on the Pulp and Paper Mill and 1,500 on the Pacific Gas and Electric plant.

Applicant proposes to operate six schedules daily between the hours of 6:30 a.m. and 7:25 p.m., with two additional night schedules to meet shift changes. An extra bus is available to take care of traffic generated by the proposed extension.

The present basic local fare from Antioch to Sweeney's Beach is 10 cents. A fare rate of 5 cents will be charged from that point to and including the proposed extended limit.

#### GIBSON LINES

There is clearly a conflict between the two applications, both aimed at acquiring operating rights over Wilbur Avenue. To remove this difficulty Gibson Lines offered to stipulate that it would not undertake to render a local service between points and places in the City of Antioch presently served by Antioch Coach Lines, on the one hand, and any point or place along Wilbur Avenue, on the

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other, excluding, however, the intersection of Wilbur Avenue and Bridgehead Road, which Gibson Lines presently has the right to serve, on condition that Antioch Coach Lines will not seek the right to serve on Wilbur Avenue beyond the Eastern boundary line of the Pacific Gas and Electric Company plant. This was agreed to by Antioch Coach Lines.

Gibson Lines is presently operating over its certificated route from the intersection of State Highway No. 24 and Wilbur Avenue, in Contra Costa County, thence southerly, westerly and northerly along State Highway No. 24 to the intersection of State Highway No. 24 and Wilbur Avenue in the City of Antioch. An exhibit was filed showing that, on north and south bound schedules passing through Antioch, a large number of seats were unoccupied. For the week ending March 7, 1949 there was a total vacancy of 936 seats on all southbound schedules, and 834 seats on northbound trips.

In this application, Gibson Lines, in its operation between Sacramento and San Francisco, proposes to divert some of its through schedules over Wilbur Avenue, west on Wilbur Avenue to "A" Street (State Highway No. 24), thence over its regular route to San Francisco. Initially, Gibson Lines will operate one schedule each way daily and will provide additional schedules if necessary. The request for authority to operate on Wilbur Avenue is based upon the reasons set forth in Application No. 29999, hereinabove described in detail, and is prompted by a desire to provide transportation for employees of industries located on Wilbur Avenue. Witnesses for both applicants were of the opinion that the two applications should be granted if the community is to have the benefit of a complete transportation service. The personnel manager of Fibreboard Products testified that persons desiring to transact business with his company would ride Gibson buses from points beyond Antioch, conclude their business, and return the same day.

Reviewing the record herein we find that public convenience and necessity require the service proposed by both applicants, having in mind the restrictions imposed by the stipulation above adverted to.

O R D E R

A public hearing having been held in the above entitled proceedings, the matters submitted, and it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to John Paul Sterling and Daniel R. Franklin authorizing the operation of a passenger stage service, as defined in Section 2½ of the Public Utilities Act, for the transportation of passengers and baggage between Sweeney's Beach and the eastern entrance to the Pacific Gas and Electric plant on Wilbur Avenue, including intermediate points, as an extension and enlargement of applicants' operative rights between Antioch and Sweeney's Beach, subject to the following restriction:

Antioch Coach Lines shall not serve between its proposed extended limits, which said extended limits shall be the Eastern boundary line of the Pacific Gas and Electric plant on Wilbur Avenue, on the one hand, and the intersection of Bridgehead Road and Wilbur Avenue, on the other hand.

(2) That a certificate of public convenience and necessity is hereby granted to Gibson Lines authorizing the operation of a passenger stage service, as defined in Section 2½ of the Public Utilities Act, for the transportation of passengers, baggage and express in shipments weighing 100 pounds or less, between the intersection of "A" Street and Wilbur Avenue and the intersection of Bridgehead Road and Wilbur Avenue, including intermediate points, as an extension and enlargement of applicant's operative rights between Sacramento and San

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Francisco, subject to the following restriction:

Gibson Lines shall not render a local service between points and places in the City of Antioch presently served by Antioch Coach Lines, on the one hand, and any points and places along Wilbur Avenue, on the other hand, excluding the intersection of Wilbur Avenue and Bridgehead Road.

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

- a. Applicants shall file a written acceptance of the certificates 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 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, applicants shall conduct operations pursuant to the certificates herein granted over and along the following routes:

ANTIOCH COACH LINES

East along Ninth Street and its prolongation over and along an unnumbered county road which county road is more commonly known as Wilbur Avenue to the road leading into the Pacific Gas and Electric Company's property at or about the Eastern boundary line of said Pacific Gas and Electric Company's property, and return over the same route.

GIBSON LINES

Over applicant's presently certificated route from Sacramento to its intersection with Wilbur Avenue in Contra Costa County; thence west on Wilbur Avenue 3 miles to the intersection of Wilbur Avenue and A Street (State Highway No.24)

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in the City of Antioch; thence over  
applicant's certificated route to San  
Francisco.

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

Dated at San Francisco, California April 12, 1949.

R. E. Anderson  
James J. Calmes  
Harold P. Kule  
Samuel P. Potts  
COMMISSIONERS