

ORIGINALDecision No. 42477

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 BENINGER TRANSPORTATION SERVICE, INC.,)
 a California corporation, for a certi-)
 ficate of public convenience and) Application No. 30653
 necessity to operate a passenger stage)
 service in the County of Contra Costa.)

O P I N I O N

Beninger Transportation Service, Inc., is presently engaged in providing a passenger stage service between El Sobrante, Rollingwood, El Portal, San Pablo, East Richmond Heights, Richmond and intermediate points, subject to certain limitations and restrictions as to intermediate point service.

In the above entitled matter, Beninger Transportation Service, Inc., seeks a certificate authorizing an extension of that service from a point in San Pablo beginning at the intersection of 23rd Street and Brookside Drive (County Road 17) and terminating at the Atlas Powder Company plant in an unincorporated portion of Contra Costa County. Applicant proposes to operate twelve round trip schedules daily, except Sundays and holidays, at approximate one hour intervals beginning at 7:20 AM and ending at 6:45 PM. A one-way cash fare of 10 cents is proposed with free transfer privileges to and from applicant's East Richmond Heights Line. Transfers between the proposed extension and the El Sobrante Line would be issued upon the payment of an additional charge of 5 cents. A 20-ride school commutation ticket would be sold for \$1.00 between points on the proposed extension. Between points on said extension and points on the El Sobrante Line the 20-ride school commutation ticket would be sold for \$1.25. The application states that applicant has seven units of passenger stage equipment used in its

present operations which could be utilized in providing the proposed extended service.

As justification for the authority sought, applicant alleges that residents and persons employed in industries situated along the proposed route have no public transportation facilities available for which they have a need.

The only other passenger stage corporation serving in the area involved is Key System Transit Lines which has informed the Commission in writing that it does not desire to protest the granting of the application.

After full consideration of all the evidence of record, the Commission finds that public convenience and necessity requires the proposed operation. Therefore, the application will be granted. No public hearing is necessary.

O R D E R

An application therefor having been filed, the Commission being fully informed therein 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 Beninger Transportation Service, Inc., authorizing the establishment and operation of service as a passenger stage corporation, as that term is defined in Section 2-1/4 of the Public Utilities Act, for the transportation of passengers between San Pablo and the Atlas Powder Company plant in Contra Costa County and intermediate points, as an extension and enlargement of and consolidated with applicant's operative rights acquired by applicant pursuant to the authority of the Commission's Decision No. 42015 in Application No. 29460.

(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 after the effective date hereof.
- b. Within 60 days after 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 Orders Nos. 79 and 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 them by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along the following routes:

Beginning at 23rd Street and Brookside Drive (County Road 17) in the City of San Pablo, thence over and along Brookside Drive to its intersection with Road 21, thence in a northerly direction along County Road 21 to the Atlas Powder Company.

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

Dated at San Francisco, California, this 1st day of November, 1949.

R. B. Zimmerman
James J. Gaumer
Wm. H. Ladd
Harold P. Kelly
Herbert P. Patten
 COMMISSIONERS