

ORIGINAL

Decision No. 48045

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

RICHMOND & SAN RAFAEL FERRY)
& TRANSPORTATION CO.)

for authority to execute and perform)
contract for sale of operating prop-)
erty and termination of service.)

Application
No. 33942

OPINION AND ORDER

This is an application for an order of the Commission authorizing Richmond & San Rafael Ferry & Transportation Co. to enter into an agreement with the State of California, acting through the Department of Public Works and also acting through the State Lands Commission, providing, among other things, for the sale to the state of certain properties at Point San Quentin.

The verified application shows that the Department of Public Works has prepared plans for a steel bridge from Richmond to Point San Quentin, generally paralleling the present ferry route of applicant and including plans for the use of applicant's pier at Point San Quentin as part of the bridge approach; that said department, together with the California Toll Bridge Authority, has called for bids for the construction of said bridge and the sale of \$62,000,000 of bonds with which to finance the costs, and has specified December 29, 1952, as the date on which bids shall be received and opened; and that the department has requested applicant to enter into the aforesaid agreement whereby it will sell to the state for the agreed sum of \$1,000,000 certain real property at Point San Quentin, including the causeway, pier and ferry slips now in use by it in furnishing its ferry service, and will accept a

leasehold interest in such properties until the opening of the bridge or until December 31, 1956, whichever is earlier, at a total rental of \$1.00 and, in addition, will terminate its ferry service upon expiration of the lease and remove its ferry facilities and thereafter cease all ferry operations. The agreement provides that all use of the existing roadway and pier shall be reasonably subordinate to the use thereof by the ferry company and its customers going to and from its ferry.

Upon reviewing this matter we are of the opinion that a public hearing is not necessary, that the transfer and lease of the properties will not interfere with applicant's service and that the transaction accordingly will not be adverse to the public interest and should be approved; therefore,

IT IS HEREBY ORDERED as follows:

1. Richmond & San Rafael Ferry & Transportation Co. may execute an agreement in, or substantially in, the same form as that filed in this proceeding as Exhibit A.

2. Richmond & San Rafael Ferry & Transportation Co., pursuant to the terms of said agreement, may sell to the State of California the properties referred to therein and may perform such other acts as are required by the terms thereof.

3. Richmond & San Rafael Ferry & Transportation Co., upon the opening of the bridge is granted authority to abandon its ferry service and to release and assign to the State of California any and all lands, leaseholds, other operating properties and facilities and its franchises, all as referred to in said agreement. ✓

4. The action taken herein shall not be construed to be a finding of the value of the properties referred to herein.

5. Richmond & San Rafael Ferry & Transportation Co. shall file with the Commission a conformed copy of the agreement and of the deed or deeds of conveyance as actually executed under the authority herein granted, such filings to be made within thirty (30) days after the dates of said documents.

6. This order is effective ten (10) days after the date hereof. ✓

Dated at Los Angeles, California, this 16th day of December, 1952.

R. E. [Signature]
President

Justice J. [Signature]

Harold K. [Signature]

[Signature]

[Signature]
Commissioners