

ORIGINAL

Decision No. 56770

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE ATCHISON, TOPEKA AND )  
 SANTA FE RAILWAY COMPANY, a corporation, )  
 for reinstatement of its certificate of )  
 public convenience and necessity to ) Application No. 39927  
 operate passenger stages as a common )  
 carrier between Richmond and Berkeley, )  
 Oakland and San Francisco to connect )  
 with its trains, and application for )  
 authority to substitute passenger stage )  
 service for its existing passenger train )  
 service to and from its stations south )  
 of Richmond. )

Robert W. Walker, Joseph H. Cummins, and F. G. Strommer, for applicant.  
Leonard M. Wickliffe, for California State  
 Legislative Committee, Order of Railway  
 Conductors and Brakemen; George W. Ballard  
 Brotherhood of Railroad Trainmen, AFL-CIO;  
Graham R. Mitchell, Brotherhood of Locomotive  
 Engineers; protestants.  
Frederick M. Cunningham, for the City of Oakland,  
 interested party.  
M. E. Getchel and James K. Gibson, for the  
 Commission staff.

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company requests authority to operate a passenger stage service between San Francisco, Oakland and Berkeley, on the one hand, and Richmond, on the other hand, and intermediate points.

A public hearing was held before Commissioner C. Lyn Fox and Examiner Thomas E. Daly on April 25, 1958, at San Francisco.

Applicant presently provides a daily passenger train service between Bakersfield, Richmond and Oakland with connecting bus service between Oakland and San Francisco. It herein seeks

authority to substitute passenger stage service for existing passenger train service to and from points south of Richmond.

Applicant asserts that the substituted service will result in substantial savings, and it will remove passenger train operations from the streets of Berkeley and Oakland and will avoid the necessity of passenger trains passing over 91 grade crossings between Richmond and Oakland.

Resolutions have been received by the Commission from the cities of Richmond and Berkeley recommending approval of the application.

Protestants oppose the granting of the application on the ground that it will result in a partial loss of earnings for crew members and will eliminate one shuttle crew between Richmond and Oakland.

After consideration the Commission is of the opinion and so finds that public convenience, necessity and safety require the granting of the authority sought.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to The Atchison, Topeka and Santa Fe Railway Company authorizing the transportation of passengers and baggage as a passenger stage corporation between the points and over the routes set forth in Appendix A attached hereto.

(2) That applicant is hereby authorized to discontinue passenger train service between Richmond and Oakland upon the institution of the substitute bus service, as authorized in paragraph (1) hereof.

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

- (a) Within thirty days after the effective date hereof applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and to the public, applicant shall establish the service authorized and shall file in triplicate and concurrently make effective amendments to its tariffs and time schedules satisfactory to the Commission to reflect the authority herein granted.

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

Dated at San Francisco, California, this 27<sup>th</sup> day of May, 1958.

*Ed. L. Fitch*  
President

*Ray W. Liberman*

*Malcolm...*

*Theodore Jenner*  
Commissioners

Commissioner C. Lyn Fox, being necessarily absent, did not participate in the disposition of this proceeding.

The Atchison, Topeka and Santa Fe Railway Company, by the certificate of public convenience and necessity granted in the decision noted below, is authorized to transport passengers and baggage between San Francisco, Oakland, and Berkeley, on the one hand, and Richmond, on the other hand, and intermediate points.

Routes

Between Richmond and San Francisco

Beginning at applicant's Richmond Depot thence south on Garrard Boulevard to Topeka Street, Cutting Boulevard, Hoffman Boulevard, East Shore Highway, San Francisco-Oakland Bay Bridge, Essex Street, Folsom Street, Third Street, Stevenson Street, Fourth Street to applicant's San Francisco Depot.

Between Richmond and Oakland

Beginning at applicant's Richmond Depot thence along Garrard Boulevard to Topeka Street, Cutting Boulevard, Hoffman Boulevard, East Shore Highway, MacArthur Boulevard, San Pablo Avenue, to applicant's Oakland Depot. Return via San Pablo Avenue, Peralta Street and East Shore Highway and reverse of above route.

Between Richmond, Berkeley and Oakland

Beginning at the Richmond Depot thence along Garrard Boulevard to Topeka Street, Cutting Boulevard, Hoffman Boulevard, East Shore Highway, University Avenue to applicant's Berkeley Depot, thence via University Avenue to San Pablo Avenue to applicant's Oakland Depot.

Issued by California Public Utilities Commission

Decision No. 56779, Application No. 39927.