

ORIGINAL

Decision No. 69056

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE WESTERN PACIFIC RAILROAD COMPANY for modification of route and termini contained in certificate of public convenience and necessity authorizing operation of a passenger stage service between San Francisco and Oakland.

Application No. 47502
(Filed April 19, 1965)

O P I N I O N

The Western Pacific Railroad Company requests authority to amend its present passenger stage service between San Francisco and Oakland so as to change the San Francisco terminal from the Southern Pacific Company's depot, located at Third and Townsend Streets, to the terminal of The Atchison, Topeka and Santa Fe rail passenger terminal located at 44 Fourth Street.

Applicant alleges the following:

1. Applicant plans and desires to consolidate its San Francisco ticket office, now located at 526 Mission Street, as well as its San Francisco terminal operations, at a single location.

2. From the overall standpoint of physical facilities for the selling of tickets and handling of San Francisco passengers and its centralized geographical location, the Santa Fe terminal is ideally situated for applicant's use.

3. The Santa Fe, by contract of several years' standing, has been performing the bussing service herein involved, and operations through Santa Fe's San Francisco terminal, rather than through the Southern Pacific terminal at Third and Townsend Streets, can be greatly facilitated by the subject proposal.

4. The Santa Fe terminal provides a more central location for San Francisco patrons as the vast majority of these patrons terminate or commence their journey in the City of San Francisco or the County of Marin rather than at points on the Peninsula. For such passengers, the availability of public transportation, taxicabs, or private automobile service, is more convenient at Fourth Street than Third and Townsend Streets. In many instances the patrons journey commences or terminates at hotels in much closer proximity to 44 Fourth Street than to Third and Townsend Streets.

5. While the Third and Townsend facility presently utilized does provide some convenience for passengers traveling to or from Peninsula points, it has been applicant's experience that the vast majority of its Peninsula patrons prefer to, and do, board or disembark from this train at applicant's station in Fremont, California. This practice saves the Peninsula passengers (the vast majority of which travel to or from the train in private automobiles) considerable time and avoids much inconvenience involved in traveling to, or from, the City of San Francisco. The convenience of the San Francisco city passenger, as well as the Marin County passenger, can more adequately be served through the more centrally located Fourth Street station.

6. The parking facilities in the vicinity of the present terminal at Third and Townsend Streets, have proven to be inadequate and if the immediately adjacent parking lot proves to be filled, which is often the case, adequate alternative parking is not available. Conversely, public garages are available in abundance within a several block radius of the Santa Fe's Fourth Street terminal.

7. On the rare occasions that the Zephyr experiences an extremely late arrival in San Francisco, the disembarking of passengers at 44 Fourth Street is much more desirable and adequate further transportation may be more readily obtained at the Fourth Street terminal.

8. Finally, substantial savings will be realized by applicant if it is able to utilize the facilities at Fourth Street. For this reason, and for the reason that the more centralized location hopefully may increase applicant's ticket sales, applicant intends to move its city ticket office into this location on or before May 15, 1965. If it can, at the same time, conduct its bussing operations through that same terminal there will be greater opportunity to fully realize all potential savings and more adequately serve its patrons.

After consideration the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to The Western Pacific Railroad Company, a corporation, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes more particularly set forth in Appendix A attached hereto and made a part hereof.

2. In providing 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. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98 and insurance requirements of the Commission's General Order No. 101-A. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the safety rules, or the provisions of General Orders Nos. 98 or 101-A, may result in a cancellation of the operating authority granted by this decision.
- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than two days after the effective date of this order on not less than two days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the service herein authorized.
- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98.

3. Concurrent with the tariff and timetable filings required by ordering paragraph 2 (c) above the operating authority granted by Decision No. 56963 dated July 8, 1958 in Application No. 40235 is hereby revoked.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 12th day of MAY, 1965.

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

Frederick D. Holbrook
President
[Signature]
[Signature]

The Western Pacific Railroad Company, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers and their baggage between The Atchison, Topeka and Santa Fe rail passenger terminal located at 44 Fourth Street in the City and County of San Francisco, State of California, and The Western Pacific Railroad Company coach yard at Middle Harbor Road in the City of Oakland, County of Alameda, as follows:

From The Atchison, Topeka and Santa Fe rail passenger terminal at 44 Fourth Street, San Francisco, California, over such San Francisco city streets as are most convenient and practical for use in obtaining direct access to and egress from the San Francisco-Oakland Bay Bridge, thence via San Francisco-Oakland Bay Bridge, California State Highway No. 17 and over such Oakland city streets as are most convenient and practical for use in obtaining direct access to and egress from Western Pacific coach yard located at Middle Harbor Road, Oakland; return via reverse of route. The proposed route is approximately ten miles more or less.

CONDITION

Authority is limited to the transportation of passengers and their baggage moving on prior or subsequent rail transportation sold or provided in accordance with effective tariffs of applicant filed with the Commission, and who do not have point of origin or destination at points between the above-designated termini.

Issued by California Public Utilities Commission.

Decision No. 69056, Application No. 47502.