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**ORIGINAL**

Decision No. \_\_\_\_\_  
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CITY OF SAN CARLOS, a municipal  
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a  
corporation,

Defendant.

Case No. 8697

Investigation on the Commission's  
own motion into the rates, charges,  
rules, operations, practices, contracts,  
leases, service and facilities of all  
the vehicular parking areas adjacent  
to railroad stations between San  
Francisco and San Jose, California,  
owned or controlled by SOUTHERN  
PACIFIC COMPANY.

Case No. 8700

ORDER TO SHOW CAUSE

TO: SOUTHERN PACIFIC COMPANY

Upon reading the Affidavit and Application for Order to Show Cause of William W. Dunlop and Affidavit in Support of Application for Order to Show Cause of Robert E. Bouchet filed herein on November 15, 1967, a certified copy of said Affidavit and Application being attached hereto and incorporated herein by reference as if fully set forth herein;

IT IS ORDERED that Southern Pacific Company, hereby made a respondent herein, appear before Commissioner William M. Bennett or Examiner Thomas E. Daly, or such other Commissioner or Examiner as may hereafter be designated, at 10:00 o'clock a.m., Thursday, November 30, 1967, in the Courtroom of the Public Utilities Commission, State Building, San Francisco, California, and then and there show cause, if any it has, why it should not be adjudged to be in contempt of the Public Utilities Commission of the State of

California and punished therefor in the manner prescribed by law for the 44 separate and distinct offenses of alleged contempt set forth in said Affidavit and Application for Order to Show Cause; it being alleged therein that Southern Pacific Company has failed and refused to obey certain Orders of the Commission set forth more particularly in said Affidavits and that said failures and refusals were and are in violation of the law and in contempt of this Commission.

The Secretary is hereby directed to cause a certified copy of this Order and of said Affidavit to be personally served upon Southern Pacific Company at least ten days before the date above fixed for the hearing in this Order to Show Cause.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 15<sup>th</sup> day of November, 1967.

\_\_\_\_\_  
President

*William A. Bennett*

\_\_\_\_\_  
Secretary

*Geoff P. Monnessey*  
\_\_\_\_\_  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CITY OF SAN CARLOS, a municipal corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a corporation,

Defendant.

FILED  
PUBLIC UTILITIES COMMISSION

NOV 15 1967

SAN FRANCISCO OFFICE  
Case No. 8697  
NO. \_\_\_\_\_

Investigation on the Commission's own motion into the rates, charges, rules, operations, practices, contracts, leases, service and facilities of all the vehicular parking areas adjacent to railroad stations between San Francisco and San Jose, California, owned or controlled by SOUTHERN PACIFIC COMPANY.

Case No. 8700

AFFIDAVIT AND APPLICATION  
FOR ORDER TO SHOW CAUSE

STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

} ss.

WILLIAM W. DUNLOP, being first duly sworn, deposes and says that:

1. I am the duly appointed and qualified Secretary of the Public Utilities Commission of the State of California; I am the custodian of the record of those certain proceedings before said Commission, numbered and entitled as above; an Order Instituting Investigation and Temporary Restraining Order was issued on October 10, 1967 by said Commission and served by registered mail upon Southern Pacific Company at its usual place of business at 65 Market Street, San Francisco, California, on October 12, 1967; a certified copy of said Order Instituting Investigation and Temporary Restraining Order is attached to this

affidavit as Exhibit No. 1; on October 24, 1967, pursuant to a motion to modify the restraining order of October 10, 1967, filed by Southern Pacific Company and after public hearing held October 18, 1967 in San Francisco, California, on said motion, said Commission issued Decision No. 73251 and served a certified copy thereof by registered mail upon Southern Pacific Company at 65 Market Street, San Francisco, on October 27, 1967. Said Decision No. 73251 excluded Southern Pacific Company parking areas at San Francisco and Mountain View from the restraining portion of the Commission's October 10, 1967 orders, it further established a parking charge of 25 cents at Mountain View pending further order of the Commission, and ordered Southern Pacific Company to remove or cover all rental signs and rental equipment at its parking lots adjacent to its station between San Francisco and San Jose with the exception of San Francisco and Mountain View. A certified copy of said Decision No. 73251, is attached to this affidavit as Exhibit No. 2. The effective date of the Commission's October 10, 1967 orders was November 1, 1967, the effective date of the Commission's Decision No. 73251 was October 30, 1967. No stay of either the orders of October 10, 1967 or of the decision of October 24, 1967 has been granted by the Public Utilities Commission or by the Supreme Court of the State of California, each of said orders are now in full force and effect. No tariff has been filed by Southern Pacific Company establishing charges for parking at any of its parking areas adjacent to its stations between San Francisco and San Jose.

2. Attached hereto is the supporting affidavit of Robert E. Bouchet, an employee of the Public Utilities Commission, setting forth certain facts observed by and known to said affiant reflecting the activity of Southern Pacific Company commencing with the

date November 2, 1967 to and including November 8, 1967 with respect to activities at the parking areas adjacent to the Southern Pacific Company stations between San Francisco and San Jose.

3. The Public Utilities Commission is a public body of the State of California created under and by Sections 22 and 23 of Article XII of the Constitution of California, and exercises such power, including the powers to punish for contempt, as have been conferred upon it by various sections of said Constitution and of the Public Utilities Code and by other statutes.

Affiant makes this Affidavit and Application for Order to Show Cause in his capacity as Secretary of the Public Utilities Commission and upon the request and at the direction of said Commission.

Southern Pacific Company was at all times mentioned herein and is now a public utility "railroad corporation" within the meaning of Section 230 of the Public Utilities Code. Its post office address and principal place of business is at 65 Market Street, San Francisco, California.

4. Affiant states that based upon the facts stated herein and in the supporting affidavit of Robert E. Bouchet attached hereto and made a part hereof, Southern Pacific Company has been in violation of law and in contempt of the Public Utilities Commission of the State of California in 44 separate and distinct instances each of which constitutes a separate and distinct act of contempt by its failure and refusal to obey the lawful orders of said Commission hereinabove referred to.

WHEREFORE, affiant prays that the Public Utilities Commission of the State of California issue its order requiring Southern Pacific Company to appear before said Commission and show cause, if any it has, why it should not be punished in the manner provided by law for contempt of said Public Utilities Commission.

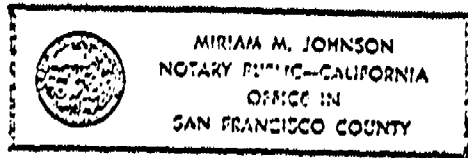
William W. Dunlop  
WILLIAM W. DUNLOP, Secretary  
Public Utilities Commission of  
the State of California

Subscribed and sworn to before me,  
this 13<sup>th</sup> day of November, 1967.

Miriam M. Johnson

Notary Public in and for the City and  
County of San Francisco, State of California

My Commission Expires:                      MY COMMISSION EXPIRES MARCH 31, 1971



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

CITY OF SAN CARLOS, a Municipal  
corporation

Complainant

vs.

SOUTHERN PACIFIC COMPANY, a  
corporation

Defendant

Investigation on the Commission's own motion into the Rates, Charges, Rules, Operations, Practices, Contracts, Leases, Service and Facilities of all the vehicular parking areas adjacent to railroad stations between San Francisco and San Jose, California, owned or controlled by SOUTHERN PACIFIC COMPANY.

Case No. 8697

FILED  
PUBLIC UTILITIES COMMISSION

OCT 10 1967

San Francisco Office

Case No. 8700

ORDER INSTITUTING INVESTIGATION  
AND TEMPORARY RESTRAINING ORDER

Good cause appearing, IT IS ORDERED that an investigation on the Commission's own motion is hereby instituted into the rates, charges, rules, operations, practices, contracts, leases, service and facilities of all vehicular parking areas adjacent to railroad stations between San Francisco and San Jose, California, owned or controlled by SOUTHERN PACIFIC COMPANY, hereby made respondent, for the purpose of determining the reasonableness of such rates, charges, rules, operations, practices, contracts, leases, service and facilities of all vehicular parking areas adjacent to railroad stations owned or controlled by respondent.

It further appearing that respondent is proposing to

charge and collect vehicular parking tolls at some or all of said parking areas adjacent to its railroad stations and that no tariff filings setting the rates therefor have been filed with this Commission, IT IS FURTHER ORDERED that respondent shall refrain from charging and collecting such vehicular parking tolls at any of said parking areas adjacent to its railroad stations between San Francisco and San Jose, California, pending further order of this Commission.

NOTICE IS HEREBY GIVEN that this matter is consolidated for hearing with Case No. 8697 and is set for hearing before Commissioner Bennett and/or Examiner Daly on the 6th day of November, 1967, at 10:00 a.m. at Commission Courtroom, State Building, San Francisco, California, at which time and place all interested parties may appear and be heard.

The Secretary is directed to cause a certified copy of this order and a copy of the complaint in Case No. 8697 to be served upon respondent forthwith.

Respondent is directed to file its answer to the complaint in Case No. 8697 at the hearing scheduled herein, or at such time and place as the Hearing Officer may direct.

Dated at San Francisco, California, this 10th day of October, 1967.

Commissioner William M. Bennett  
present but not voting.

Commissioner Fred P. Morrissey  
present but not voting.

PETER E. MITCHELL

\_\_\_\_\_  
President  
A. W. GATOV

\_\_\_\_\_  
WILLIAM SYMONS, JR.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Certified as a True Copy  
*William M. Bennett*  
SECRETARY, PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA



NB

Decision No. 73251

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CITY OF SAN CARLOS, a municipal  
 corporation,  
  
 Complainant,  
  
 vs.  
  
 SOUTHERN PACIFIC COMPANY, a  
 corporation,  
  
 Defendant.

Case No. 8697

Investigation on the Commission's  
 own motion into the rates, charges,  
 rules, operations, practices, con-  
 tracts, leases, service and facil-  
 ities of all the vehicular parking  
 areas adjacent to railroad stations  
 between San Francisco and San Jose,  
 California, owned or controlled by  
 SOUTHERN PACIFIC COMPANY.

Case No. 8700

(Appearances are listed in Appendix A)

ORDER OF MODIFICATION

By its order dated October 10, 1967, the Commission instituted an investigation into the operations of all vehicular parking areas adjacent to the railroad stations between San Francisco and San Jose, California, owned or controlled by Southern Pacific Company for the purpose of determining the reasonableness of parking charges recently imposed or about to be imposed by respondent. The order also restrained respondent from charging or collecting parking tolls at any of its parking areas, adjacent to its tracks, between San Francisco and San Jose. On October 11, 1967, respondent filed a motion to modify the restraining order.

Oral argument on the motion to modify was held before Examiner Daly on October 18, 1967, at San Francisco.

By its motion respondent requests that the Commission's order of October 10, 1967, be modified to provide that respondent may file a statement (in tariff form, if desired) setting forth parking charges now applied and proposed to be applied at each station between San Francisco and San Jose, inclusive; that such charges as proposed to be applied to stations where not in effect as of October 10, 1967, shall not take effect without seven days' notice to the Commission and to the public; and that such charges, when applied, shall be subject, together with charges instituted prior to October 10, 1967, to the jurisdiction of the Commission to order reparations in whole or in part, should the Commission find, upon investigation, that the charges are unjust and unreasonable or otherwise unlawful.

At the time that the restraining order was signed respondent asserts that it had already established and was collecting vehicular parking charges at parking lots adjacent to its stations in a number of cities.

Respondent requests that the Commission's order of October 10, 1967, be modified so as to exclude those stations at which parking charges had been established prior to the issuance of the order. The stations are:

Hillsdale  
Mountain View  
Palo Alto  
Santa Clara

San Francisco  
San Jose  
San Mateo and  
Sunnyvale.

According to respondent the parking lot in San Francisco has been operated since 1959, and is not considered as a commuter parking lot. By the same token respondent argues it has been

operating a commuter parking lot at Mountain View since 1959. Respondent pointed out that the Commission, by Decision No. 72615, dated June 20, 1967 in Cases Nos. 8087, 8188 and 8204 had found that said property has been dedicated to a public use. However, respondent is presently charging 35 cents at its Mountain View lot.

The cities argued that during September and October of 1967 respondent has inaugurated a 35 cents parking charge at a number of lots adjacent to its stations between San Francisco and San Jose without first obtaining Commission approval. They take the position that such unilateral action should be restrained until such time as the Commission can make a determination as to whether a charge should be made and if so the reasonableness of the charge.

The staff recommended that the restraining order be modified by excluding therefrom the San Francisco and Mountain View parking lots. The staff further recommended that the charge made at the Mountain View lot be reduced from 35 to 25 cents.

On October 20, 1967, respondent filed a petition for rehearing the Commission's order of October 10, 1967. Respondent argues that the restraining order is defective in that the properties to which the order relates, with the exception of those covered by Decision No. 72615, have not been the subject of a proceeding to determine whether they have been dedicated to a public utility use, which it claims is necessary before the Commission can assume jurisdiction.

During the course of oral argument, respondent introduced in evidence Exhibit 1, which is a proposed tariff covering the properties in question. Respondent indicated a willingness to waive the issue of jurisdiction in the event such tariff was accepted by the Commission and respondent was permitted to

inaugurate the 35 cents parking charge, with the understanding that it would make reparation in the event the Commission, after hearing, finds the charge to be excessive.

In the interest of orderly procedure the Commission is of the opinion that the restraining order should be modified as hereinafter set forth.

IT IS ORDERED that:

1. The Commission's order, dated October 10, 1967, in the above matters, is hereby amended by excluding from the restraining portion thereof the parking areas adjacent to respondent's railroad stations located at San Francisco and Mountain View.

2. Until further order of the Commission respondent assess a charge of no more than 25 cents at its Mountain View parking lot.

3. Until further order of this Commission and with the exception of its San Francisco and Mountain View parking lots, respondent shall remove or cover all rental signs and rental equipment from its parking lots adjacent to its stations between San Francisco and San Jose.

4. Respondent's petition for rehearing of the Commission's order of October 10, 1967, is hereby denied.

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

Dated at San Francisco, California, this 24th day of October, 1967.

PETER E. MITCHELL

President

WILLIAM M. BENNETT

A. W. GATOV

WILLIAM SYMONS, JR.

Commissioners

Commissioner Fred P. Morrissey, being necessarily absent did not participate in the disposition of this proceeding.

Certified as a True Copy

William W. Dunlop  
SECRETARY, PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

APPENDIX A

LIST OF APPEARANCES

RESPONDENT: Charles W. Burkett and John MacDonold Smith, for Southern Pacific Company.

INTERESTED PARTIES: Richard L. Andrews, for the City of Menlo Park; David E. Schricker, for Redwood City; Donald C. Meaney, for the City of Palo Alto; Frank Gillio, for the City of Sunnyvale; Fred Caploe, for the City of Mountain View; Robert K. Booth, Jr., for the City of Santa Clara; Burress Karmel, for the City of Burlingame; Richard G. Randolph, for the City of San Mateo; Michael Aaronson and David J. Palmer, for the City of San Carlos; and Kenneth M. Dickerson, for the City of Belmont.

COMMISSION STAFF: William Bricca and Clyde Neary.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CITY OF SAN CARLOS, a municipal  
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a  
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Investigation on the Commission's  
own motion into the rates, charges,  
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PACIFIC COMPANY.

Case No. 8700

AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR ORDER  
TO SHOW CAUSE

STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

} ss.

ROBERT E. BOUCHET, being first duly sworn, deposes and says  
that: I am now and was at all times mentioned herein a citizen  
of the State of California over the age of 21 years, and an  
employee of the Public Utilities Commission of the State of  
California, to wit, an Assistant Transportation Engineer, my  
office address being: State Building, San Francisco, California.

1

On November 2, 1967 affiant personally observed that the  
Southern Pacific Company had not removed or covered the rental  
signs and rental equipment at the parking lot adjacent to its  
station at San Jose.

2.

On November 2, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Santa Clara.

3.

On November 2, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Sunnyvale.

4.

On November 2, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at California Avenue.

5.

On November 2, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Palo Alto.

6.

On November 2, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Hillsdale.

7.

On November 2, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at San Mateo.

8.

On November 2, 1967 affiant purchased a parking ticket from Southern Pacific Company rental equipment at the parking area adjacent to its Mountain View station, said equipment would not release a parking ticket for 25 cents but did release a ticket for 35 cents.

9.

On November 3, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at California Avenue.

10.

On November 3, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Palo Alto.

11.

On November 3, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Hillsdale.

12.

On November 3, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at San Mateo.

13.

On November 3, 1967 affiant personally observed certain individuals obtain parking tickets for 35 cents from the rental equipment at the Southern Pacific Company parking lot adjacent to its Mountain View station, park their automobiles and board



a Southern Pacific Company commuter train destined for San Francisco.

14.

On November 3, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to its California Avenue station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

15.

On November 3, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to its Palo Alto station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

16.

On November 3, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to its Hillside station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

17.

On November 3, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to its San Mateo station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

18.

On November 6, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at California Avenue.

19.

On November 6, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Palo Alto.

20.

On November 6, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Hillsdale.

21.

On November 6, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at San Mateo.

22.

On November 6, 1967 affiant personally observed certain individuals obtain parking tickets for 35 cents from the rental equipment at the Southern Pacific Company parking lot adjacent to the Mountain View station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

23.

On November 6, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to the California Avenue station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

24.

On November 6, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the

Southern Pacific Company parking lot adjacent to the Palo Alto station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

25.

On November 6, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to the Hillsdale station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

26.

On November 6, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to the San Mateo station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

27.

On November 7, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at California Avenue.

28.

On November 7, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Palo Alto.

29.

On November 7, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Hillsdale.

30.

On November 7, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at San Mateo.

31.

On November 7, 1967 affiant personally observed certain individuals obtain parking tickets for 35 cents from the rental equipment at the Southern Pacific Company parking lot adjacent to the Mountain View station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

32.

On November 7, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to the California Avenue station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

33.

On November 7, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to the Palo Alto station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

34.

On November 7, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to the Hillsdale station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

35.

On November 7, 1967 affiant personally observed certain individuals obtain parking tickets from the rental equipment at the Southern Pacific Company parking lot adjacent to the San Mateo station, park their automobiles and board a Southern Pacific Company commuter train destined for San Francisco.

36.

On November 8, 1967 affiant personally observed at approximately 6:56 a.m., a male individual driving a Dodge automobile, California license number MNV 009, purchase a parking ticket for 35 cents at the Southern Pacific Company parking lot adjacent to the station at Mountain View and park said Dodge automobile in said parking lot. The automobile is registered to Beverly MacDonald, 816 Heller Drive, Sunnyvale, California.

37.

On November 8, 1967 affiant personally observed, at approximately 7:17 a.m., a male individual driving a Ford automobile, California license number BFA 687, purchase a parking ticket for 35 cents at the Southern Pacific Company parking lot adjacent to the station at California Avenue and park said Ford automobile in said parking lot. The automobile is registered to Galt W. Lynn, 415 Florales Dr., Palo Alto, California.

38.

On November 8, 1967 affiant personally observed, at approximately 7:34 a.m., a male individual driving an Oldsmobile automobile, California license number DBT 785, purchase a parking ticket for 35 cents at the Southern Pacific Company parking lot adjacent to the station at Palo Alto and park said Oldsmobile automobile in said parking lot. The automobile is registered to Independent Elevator Co., Inc., 2801-23rd Street, San Francisco, California.

39.

On November 8, 1967 affiant personally observed, at approximately 8:08 a.m., a male individual driving a Chevrolet station wagon, California license number CIC 901, purchase a parking ticket for 35 cents at the Southern Pacific Company parking lot adjacent to the station at Hillsdale and park said Chevrolet station wagon in said parking lot. The automobile is registered to Mary Louise Manhard, 122 Flying Mist, San Mateo, California.

40.

On November 8, 1967 affiant personally observed automobiles parked in the Southern Pacific Company parking lot adjacent to its San Mateo station, said automobiles displaying parking tickets obtained from the rental equipment at said parking lot and effective for November 8, 1967.

41.

On November 8, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at California Avenue.

42.

On November 8, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Palo Alto.

43.

On November 8, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at Hillsdale.

On November 8, 1967 affiant personally observed that the Southern Pacific Company had not removed or covered the rental signs and rental equipment at the parking lot adjacent to its station at San Mateo:

*Robert E. Bouchet*

ROBERT E. BOUCHET  
Assistant Transportation Engineer  
Public Utilities Commission  
State of California

Subscribed and sworn to before me,  
this 13<sup>th</sup> day of November, 1967.

*William W. Dunlop*

Notary Public in and for the City and  
County of San Francisco, State of California

My Commission Expires: June 21, 1969