

Decision No. 12592.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
JOHN C. GEYER for certificate of)
public convenience and necessity to :
operate through freight service bet-)
ween Santa Cruz, California, and San) Application No. 8830
Francisco, California, and between :
Santa Cruz, California and Oakland, :
California.)

BY THE COMMISSION,

ORDER

In this proceeding John C. Geyer has made application to the Railroad Commission in which he petitions for a certificate of public convenience and necessity authorizing the operation of an automobile truck line for the transportation of eggs, live poultry, fresh fruits and vegetables between farms located in the vicinity of Santa Cruz to San Francisco and Oakland. Applicant proposes to handle on the return haul poultry supplies, grain, box shock, fillers and cushions, and empty containers. Semi-weekly trips will be made for the transportation of eggs, and weekly trips for the transportation of live poultry, and daily trips, in season, for the transportation of fruits and vegetables. Rates to be charged as set out in Exhibit "A" attached to the application herein. Applicant proposed to handle no freight from intermediate points, Santa Cruz to Oakland or San Francisco.

Chapter 310, Statutes of 1923, effective August 17, 1923, provides that any one engaging in the operation of trucks for the transportation of products or implements of husbandry or other

farm necessities when moving directly to or from farms would not be required to secure a certificate under the provisions of Chapter 213, Statutes of 1917, and amendments thereto authorizing such operation. From the application in this proceeding it would appear that this applicant intends to transport solely farm products including eggs and live poultry directly from farms in the vicinity of Santa Cruz to commission houses located in Oakland and San Francisco and to transport on the return haul farm necessities directly to such farms. Under such circumstances no certificate would be required under the provisions of Chapter 310, Statutes of 1923, and we are, accordingly, of the opinion that this application should be dismissed.

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is dismissed.

Dated at San Francisco, California, this 13th day of September, 1923.

C. A. Seaver
H. B. ...
Irving Martin
Gordon Shaw
J. T. Whittling
Commissioners