

Decision No. 12604

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 HOLMES MOTOR TRANSPORT COMPANY for  
 certificate of public convenience  
 and necessity to operate a freight  
 truck service between San Francisco  
 and San Jose and intermediate points.)

Application No. 9310.

BY THE COMMISSION:

ORDER

Henry E. Holmes and Philbrook W. Holmes, co-partners doing business under the name of Holmes Motor Transport Company, have made application to the Railroad Commission, in which they petition for a certificate of public convenience and necessity authorizing the operation of an automotive truck line between San Francisco and San Jose and intermediate points in California.

Applicants propose to use three  $\frac{1}{2}$ -ton trucks and a trailer and to charge rates as more specifically set forth in Exhibit "A" attached to the application. They do not propose to handle all classes of commodities but to confine their operation solely to groceries, food products, drugs and druggists' supplies, paper and paper products, and butter and eggs.

The application sets forth as justification for the granting of the certificate applied for, the allegation that these applicants will, by confining their operation to the transportation of special commodities only and refusing to accept for transportation machinery, pipe or heavy freight, reduce claims for damages due to breakage, and further, they will be able to make morning deliveries earlier than can the existing transportation companies.

At the present time there is operating between San Francisco and San Jose and intermediate points, on what is known as the Peninsula Highway, some three automotive truck companies, namely, the Highway Transport Company, Pioneer Gibson Express, and the Peninsula Parcel Delivery. The Southern Pacific Railroad and the American Railway Express Company also operate freight and express service between San Francisco and San Jose and intermediate points via Palo Alto, and between the termini of San Francisco and San Jose, in addition to the Western Pacific Railroad between Oakland, Niles and San Jose.

This Commission has found, in previous formal proceedings, that none of the common carriers operating in the transportation of freight or express between the termini and intermediate points proposed to be served by this applicant, is operating to the full capacity of its equipment, and further, that there have been practically no complaints as to the rates or service of existing truck lines in this territory. It would further appear from this application that the co-partnership proposes to handle only the most desirable class of freight and to reserve the right to reject and refuse to transport all classes of commodities which might be termed of a heavy or bulky nature or that are inconvenient and less profitable to transport.

In view of the above circumstances, we are of the opinion that this is not a matter in which a public hearing is necessary and that the application should be denied.

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

Dated at San Francisco, California, this 13<sup>th</sup>  
day of September, 1923.

C. Channing  
W. B. Brundage  
Erving A. Martin  
Charles E. Ross  
J. H. Whittier  
Commissioners.