

ORIGINAL

Decision No. 13795.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of CONSOLIDATED FURNITURE MOVING CORP., a corporation, for a certificate of public convenience and necessity to operate a transportation company for the transporting of household goods, office furniture and equipment, and personal effects, between San Francisco and Sacramento, and intermediate points, via Stockton.

Application No. 9673.

In the Matter of the Application of CONSOLIDATED FURNITURE MOVING CORP., a corporation, for a certificate of public convenience and necessity to operate a transportation company for the transportation of household goods, office furniture and equipment, and personal effects, between San Francisco and Sacramento, and intermediate points, via Vallejo.

Application No. 9674.

In the Matter of the Application of CONSOLIDATED FURNITURE MOVING CORPORATION, a corporation, for a certificate of public convenience and necessity to operate a transportation company for the transporting of household goods, office furniture and equipment, and personal effects between San Francisco and San Jose, California, and intermediate points.

Application No. 9675.

In the Matter of the Application of CONSOLIDATED FURNITURE MOVING CORPORATION, a corporation, for a certificate of public convenience and necessity to operate a transportation company for the transporting of household goods, office furniture and equipment, and personal effects between San Francisco and Santa Rosa, California, and intermediate points.

Application No. 9676.

In the Matter of the Application of)
SARAE S. BURGER, doing business under the)
fictitious firm name and style of "LIBERTY)
TRANSFER & STORAGE COMPANY," for herself)
and for said Liberty Transfer & Storage)
Company, for a certificate of public con-)
venience and necessity to operate a trans-)
portation service by motor truck of and for)
household goods, furniture, pianos, personal)
effects, office furniture, equipment and)
records, between Sacramento and Davis, Dixon,)
Vacaville, Fairfield, Suisun, Cordelia, Vallejo,)
Crockett, Rodeo, Pinole, San Pablo, Richmond,)
Berkeley, Oakland, Alameda and San Francisco)
and intermediate points, and returning between)
San Francisco, Alameda, Oakland, Berkeley,)
Richmond, San Pablo, Pinole, Rodeo, Crockett,)
Vallejo, Cordelia, Suisun, Fairfield, Vaca-)
ville, Dixon, Davis and Sacramento and inter-)
mediate points, eliminating intermediate)
business, however, between Berkeley, Oakland,)
Alameda and San Francisco.)
Application No. 9727.

In the Matter of the Application of MILD W.)
BEKINS, FLOYD R. BEKINS, REED J. BEKINS and)
R. M. B. HOLT, partners in business under the)
name BEKINS FIREPROOF STORAGE for a certificate)
of public convenience and necessity to operate)
an automobile truck service for the transport-)
ation of household goods between)
1. San Francisco and Oakland-Berkeley)
and Alameda.)
2. San Francisco-Oakland and Sacramento)
and intermediate points via Vallejo.)
3. San Francisco-Oakland and Santa Rosa)
and intermediate points via Sausalito.)
Application No. 9730.

Harry A. Encell, for Consolidated Furniture Moving Corp. as applicant, and as protestant in App. 9727.
Richard T. Eddy, for applicant Bekins Fireproof Storage; protestant in App. 9727.
J.W.S. Butler, for applicant in App. 9727.
Gwyn E. Baker, for Draymen's Ass'n. of Alameda County, Stockton Transfer Co., Dawson Fireproof Storage, et al., protestants.
F. W. Mielko, for Southern Pacific Co. and Western Pacific Railroad Co., protestants.
B. Levy and Platt Kent for The A. T. & S. F. Ry. Co., protestant.
Jesse E. Steinhart and J. J. Goldberg for San Francisco-Sacramento R. R. Co., protestant.
E. E. Miller for Sacramento-Galt Truck Line and Sacramento-Davis-Woodland Truck Line, protestants.

SEORE, Commissioner:

O P I N I O N

This is a proceeding in which applications from three companies, - Bekins Fireproof Storage, Consolidated Furniture Moving Corporation and Liberty Transfer and Storage Company, are under consideration for the granting of certificates of public convenience and necessity for the transportation by automotive trucks of household goods and personal effects, office furniture and equipment, between San Francisco and certain other termini and over the routes hereinafter mentioned.

A public hearing was held in San Francisco on February 11, 13 and 14, 1934, and the matters having been duly submitted and briefs filed, are now ready for decision.

APPLICATION No. 9730/^{as amended} of Milo W. Bekins, Floyd R. Bekins, Reed J. Bekins and R. M. B. Holt, partners in business under the name of BEKINS FIREPROOF STORAGE, asks for a certificate of public convenience and necessity to operate an automotive truck service for the transportation of household goods, pianos, trunks, baggage and other personal property, office furniture and equipment, between the points named and over the following routes and within a thirty mile radius thereof:

Route 1. Between San Francisco, Oakland, Berkeley, Alameda, Piedmont and Emeryville.

Route 2. Between San Francisco, Oakland and Sacramento and intermediate points via Vallejo.

Route 3. Between San Francisco and Santa Rosa and intermediate points via Sausalito.

Bekins Fireproof Storage proposes to operate in this service the following equipment now owned and operated by it, namely: 14 trucks, vans and trailers assigned to the San Francisco office and 12 trucks, vans and trailers assigned to the Oakland office. This company owns and operates a total equipment of 64 furniture trucks, vans and trailers, including those assigned to the Los Angeles and Fresno offices, and if at any time the service over the routes herein specified should require additional equipment this can be provided from either the Los Angeles or Fresno offices or by the purchase of such new equipment as may be necessary to meet the demand. Milo W. Bekins testified that the total value of the assets of Bekins Fireproof Storage amounts to something over \$1,800,000.00; that it owns large warehouses in San Francisco and Oakland as well as in Los Angeles and Fresno, and that it holds itself ready to meet all public demand for the transportation of household goods between the points named.

Bekins Fireproof Storage based its application for a certificate of public convenience and necessity largely upon the public demand for its services as indicated in the actual operations conducted by it and its predecessor, Bekins Van & Storage Company, during the seven or eight years previous.

Milo Bekins filed a series of exhibits showing the operations of his firm in the hauling of household goods over the various routes involved in this application covering two periods; the first period being the last two months of 1916 and the first four months of 1917, and the second period being January to October, inclusive, in 1923. Exhibit No. 3 showed 21 truckloads hauled between Oakland, San Francisco

and Sacramento and 28 truckloads hauled to way points in the above period of 1916-17. Exhibit No. 4 showed 103 truckloads from San Francisco and Oakland to Sacramento and 142 truckloads to way points in the period of 1923.

Exhibit No. 9 showed 265 truckloads hauled between San Francisco and Oakland in the period 1916-17. Exhibits Nos. 10 and 11 showed that 1849 truckloads were hauled between San Francisco and Oakland in the period of 1923. Exhibit No. 6 showed that 4 truckloads were hauled between San Francisco and Santa Rosa and 32 truckloads to way points; 5 truckloads between Oakland and Santa Rosa and 3 truckloads to way points in the period of 1916-17. Exhibit No. 7 showed 20 truckloads were hauled between San Francisco and Oakland and Santa Rosa, and 115 truckloads to way points in the period of 1923. This applicant proposes a minimum of one round trip each week over Routes Nos. 2 and 3, and three round trips each week over Route No. 1.

APPLICATIONS Nos. 9673, 9674, 9675 and 9676, of CONSOLIDATED FURNITURE MOVING CORPORATION, ask for certificates of public convenience and necessity to operate a transportation company for the transportation of household goods, office furniture and equipment and personal effects between the points named and over the following routes and including points within twenty-five miles on each side of the highways traversed on these routes:

Application No. 9673, between San Francisco and Sacramento and intermediate points via Stockton.

Application No. 9674, between San Francisco and Sacramento and intermediate points via Vallejo.

Application No. 9675, between San Francisco and San Jose and intermediate points.

Application No. 9676, between San Francisco and Santa Rosa and intermediate points via Sausalito.

Consolidated Furniture Moving Corporation is a corporation newly organized for the purpose of conducting the operations herein

proposed. The officers are men experienced in the transportation of household goods. One of them, Harry Gorman, is connected with the California Highway Express, now operating under authority of the Railroad Commission, and the other three are connected with city transfer companies in the city of San Francisco. These officers include Eli Schumacher, President; James Coughlin, Vice-President; Harry Gorman, Secretary, and Gus Temps, Treasurer.

These men testified that each of them is prepared to put up \$5,000 at once as an initial payment in the financing of the business of this corporation. They propose to purchase 4 covered vans of the most approved type and pending the securing of this new equipment they claim to have arranged for the leasing of vans now operated by other owners in the city of San Francisco.

Consolidated Furniture Moving Corporation based its application for certificate of public convenience and necessity upon the testimony offered by certain witnesses from San Francisco, Sacramento, Stockton, Santa Rosa and San Jose, all of whom are men actively engaged in the moving of furniture within the cities in which they reside. These witnesses based their evidence in support of public convenience and necessity for the proposed operations upon inquiries made by the public at their respective offices in these cities and also upon a volume of business actually done by them in the hauling of household goods over the routes named in these applications. This applicant proposes to operate a minimum of one round trip per week over each of the above mentioned routes.

APPLICATION No. 9727, of Sarah S. Burger, doing business under the name of LIBERTY TRANSFER AND STORAGE COMPANY, asks for a certificate of public convenience and necessity to operate a transportation service by motor truck for household goods, furniture, pianos,

personal effects, office furniture and equipment and records between the points named and over the following routes, namely:

Sacramento and Davis, Dixon, Yacaville, Fairfield, Suisun, Cordelia, Vallejo, Crockett, Rodeo, Pinole, San Pablo, Richmond, Berkeley, Oakland, Alameda and San Francisco and intermediate points; returning between the same points, eliminating, however, intermediate business between Berkeley, Oakland, Alameda and San Francisco.

Liberty Transfer and Storage Company, owned by Sarah S. Burger, is operated under the joint management of applicant and her husband, Arthur I. Burger, who testified on behalf of applicant. This applicant claims to have operated a transportation service between the points named continuously from April, 1917, to the present date and states that since the year 1919 it has been conducting an average weekly run of from three to four shipments between said points and has advertised said regular run as a continuing business. It developed in the hearing, however, that while the business may have been conducted since early in 1917 in the name of Liberty Transfer and Storage Company, it was at first owned and operated by one Jerome Starkey, who took Arthur I. Burger into partnership some time in 1918, and later Starkey's interest was purchased by Arthur I. Burger, who in turn transferred his entire interest in 1922 to his wife, Sarah S. Burger, continuing to act since that date as manager of the business. This company owns and operates a storage warehouse in Sacramento and has leased for five years an additional warehouse and distributing and consolidating depot, now under construction. This applicant has listed in its Exhibit "C" three covered vans of two, two and one-half and three and one-half tons capacity; three open trucks, one of 2-tons, another of 1-ton capacity and the third a small Ford truck. Applicant offers to make available for use in the proposed service as much of this equipment as may be required, the remainder being used in local transfer and house moving operations in Sacramento. A sworn statement

by Sarah S. Burger filed with the Commission shows equipment valued at \$13,625 and total assets amounting to \$27,237, with total liabilities amounting to \$6,630, or a net worth of \$20,607. M. N. Bakulich testified that he was prepared and willing to invest \$10,000 within six months in the business of the Liberty Transfer and Storage Company in the event of a certificate being granted.

Arthur I. Burger testified that the Liberty Transfer and Storage Company under his ownership had hauled household goods over the route proposed to the amount of 291,404 lbs. in the year 1921, including 97,239 lbs. between San Francisco and Sacramento; 72,610 lbs. between Sacramento and Oakland; 44,467 lbs. between Sacramento and Alameda, and 39,222 lbs. between Sacramento and Berkeley. He did not have the figures of the company for the operations in 1922 and 1923 but estimated that there was an increase in the tonnage hauled in 1922 of 25% over that hauled in 1921 and an increase of 50% in 1923 over that hauled in 1921, or a total of about 450,000 lbs. in 1923. He referred also to the record in the application of the Draymen's Transportation Association, Decision No. 11624, which was admitted into the record of this proceeding as to the tonnage of household goods hauled to and from Sacramento, and he stated that according to that record three of the larger Sacramento hauling concerns hauled 749,860 lbs. of household goods in 1921 between Sacramento and San Francisco and intermediate points.

Reviewing these applications, the testimony given and the exhibits filed in respect to rates and time schedules, the following is a brief resume of the respective offers made according to the various routes proposed:

SAN FRANCISCO TO SACRAMENTO VIA VALLEJO.

All three applicants ask for certificates of public convenience and necessity to operate over this route.

Bokins Fireproof Storage proposes a minimum of 1 round trip per week, with a right to serve all intermediate points and also points within 30 miles on either side of the main highway and 30 miles beyond terminal points. This applicant's rate from San Francisco to Sacramento is \$2.10 per hundred and from Oakland to Sacramento \$2.00 per hundred, with proportionately lower rates for the various intermediate points.

Consolidated Furniture Moving Corporation proposes to operate a minimum of 1 round trip per week, with the right to pick up and deliver at points within 25 miles on either side of the main highway and 25 miles beyond terminal points. This applicant proposes to charge a rate of \$2.15 per hundred from San Francisco to Sacramento and \$1.90 per hundred from Oakland to Sacramento, with proportionately lower rates to intermediate points.

Liberty Transfer and Storage Company proposes to operate a minimum of 3 round trips per week and to pick up and deliver within a radius of 10 miles on either side of the main highway. In its amended application this applicant submitted a rate of \$1.90 per hundred from San Francisco to Sacramento and \$1.70 per hundred from Oakland to Sacramento, with proportionately lower rates to intermediate points. These rates, however, were offered on the basis of applicant securing an exclusive right to transport furniture between the terminal named. Applicant stated that in the event of another company being authorized to transport furniture over this route it would be obliged to file rates of \$2.14 per hundred from San Francisco to Sacramento and \$1.93 per hundred from Oakland to Sacramento.

These applications were protested by the Southern Pacific Company and the Western Pacific Railroad Company, which however submitted no evidence other than their tariff schedules in support of

their protests. It is a recognized fact that railroads will not accept furniture nor household goods for transportation unless properly crated, and while the railroad rates are lower than the proposed motor truck rates, the additional cost of crating and uncrating^{and} of the trucking from residence to warehouse and from warehouse to residence increases the total cost by railroad transportation to shippers of household goods to a figure materially higher than the cost of motor truck transportation. It is further claimed that transportation of household goods by motor truck from point of origin to destination can be effected more promptly than when handled by trucks and railroad combined.

SAN FRANCISCO TO SACRAMENTO VIA STOCKTON.

Consolidated Furniture Moving Corporation is the only applicant asking for certificate to operate over this route. This applicant proposes to operate a minimum of 1 round trip per week on this route, asking for the right to pick up and deliver to points within 25 miles on either side of the main highway. Applicant proposes a rate from San Francisco to Stockton of \$1.92 per hundred; from San Francisco to Elk Grove of \$2.41 per hundred; from Sacramento to Stockton of \$1.10 per hundred and to Haywards of \$2.15 per hundred; rates between the termini of Sacramento and Oakland and San Francisco to be identical with the rates proposed between these termini over the Vallejo route, which is the route proposed to be used generally in the movement of shipments between the termini of Sacramento and Oakland and San Francisco.

SAN FRANCISCO TO SANTA ROSA.

Bekins Fireproof Storage and Consolidated Furniture Moving Corporation are both applicants for certificates of public convenience and necessity to operate over this route. Bekins Fireproof Storage proposes to operate a minimum of 1 round trip per week and to charge a

rate of \$1.20 per hundred from San Francisco to Petaluma; \$1.50 from San Francisco to Santa Rosa, and to serve the territory within a radius of 50 miles from the main route with proportionate rates.

Consolidated Furniture Moving Corporation proposes to operate a minimum of 1 round trip per week, serving territory within a radius of 25 miles on each side of the main route and charging a rate from San Francisco to Petaluma of \$1.12 per hundred and to Santa Rosa of \$1.47 per hundred.

There is no truck line authorized to transport property for compensation between San Francisco and points north of San Rafael to and including Santa Rosa, with the exception of one line whose traffic is limited to shipments not to exceed 60 lbs. each in weight, which accordingly would not be affected by the proposed operation. Referring to protestants operating between San Rafael and intermediate points, one of these protestants does not operate trucks into San Francisco but operates a small boat from Pier No. 9 in San Francisco to San Rafael and trucks from San Rafael to Sausalito. Another protestant operates a regular daily service between San Francisco, Sausalito, San Rafael and intermediate points and handles considerable tonnage of furniture and household goods. This carrier, however, transports all other classes of freight and does not operate closed vans or trucks especially equipped for the transportation of uncrated household goods.

SAN FRANCISCO TO SAN JOSE.

Bekins Fireproof Storage and Consolidated Furniture Moving Corporation filed applications for certificates to operate over this route. Bekins Fireproof Storage, however, amended its application at the hearing by withdrawing that portion referring to operation between San Francisco and San Jose, in view of the fact that under its existing operative right between San Francisco and Los Angeles it already claims

authorization to serve this territory.

Consolidated Furniture Moving Corporation proposes to operate a minimum of 1 round trip per week over this route and also to serve territory within a radius of 25 miles on each side of the main highway. This applicant proposes to charge a rate of \$1.18 per hundred from San Francisco to San Jose and 91¢ per hundred from San Francisco to Palo Alto, with proportionate rates to intermediate points.

There are three other authorized truck companies operating daily service between San Francisco and San Jose, which, however, did not appear in protest against the granting of this application, due perhaps to the fact that they engage chiefly in the transportation of general freight, which is not satisfactorily handled in conjunction with uncrated furniture.

SAN FRANCISCO TO EAST BAY POINTS.

Bekins Fireproof Storage is the only applicant for certificate over this route. This applicant proposes to operate a minimum of 3 round trips per week, charging rates of 75¢, 80¢ and 85¢ per hundred, depending upon the zones to which shipments are to be moved. This route includes San Francisco, Oakland, Berkeley, Alameda, Piedmont and Emeryville.

This application was protested by a number of authorized carriers engaged in the transportation of all classes of commodities between San Francisco and East Bay points. The evidence showed, however, that these protestants are principally engaged in the transportation of general freight. People's Express handles van loads of household goods on an average of 3 times per week and also handles a considerable amount of trunks and other baggage. United Transfer Company handles a considerable quantity of household goods. The testimony of both of these protestants was to the effect that Bekins Fireproof

Storage handles a larger volume of household goods between San Francisco and East Bay points than any other trucking concern in that territory.

In the hearing of these applications it developed that a large volume of tonnage in furniture, household goods and personal effects is hauled over the routes mentioned, by operators not holding certificates of public convenience and necessity from the Railroad Commission.

Eli Schumacher, testifying on behalf of Consolidated Furniture Moving Corporation, stated that about 70 members of the Transfer and Storage Association of San Francisco are now making out of town trips hauling these commodities.

Gwyn E. Baker, appearing as counsel for protestant, The Draymen's Association of Alameda County, and for other protestants against these applications, stated that he was prepared to show that at least 99 concerns with a total of 259 trucks are now operating out of East Bay cities hauling these commodities.

Mr. Baker filed a brief in general protest against these applications, his contention being that public convenience and necessity is already adequately provided for by the existing facilities of concerns now operating "irregularly" in the hauling of these commodities.

The evidence is clear that Bekins Fireproof Storage and the Liberty Transfer and Storage Company have been operating with a

degree of regularity, and have been so holding out their services to the public, that their operations over the routes and between the termini mentioned, are established as those of transportation companies, and as such are subject to the jurisdiction of the Railroad Commission. The evidence in this proceeding shows a substantial public demand for their operations and that this demand has existed for years, which justifies the granting of certificates of public convenience and necessity for their proposed operations, irrespective of any irregular operations by unauthorized carriers.

While Consolidated Furniture Moving Corporation has not been operating in the past, and therefore its proposed operations may be considered as in competition with certain irregular operations referred to by Counsel Baker, as well as in competition with the regular operations of the other two applicants mentioned in above preceding paragraph, the evidence in this proceeding includes substantial affirmative testimony by transfer agents in each of the cities mentioned as termini, showing a demand on behalf of public convenience and necessity for their proposed operations.

Moreover the statement was made by Counsel Baker that probably some of the operators on whose behalf he protested the applications herein might be shown to be operating "regularly" over these routes if all the facts were in evidence. Certainly these regular operators, not possessing certificates from the Commission and not having so operated prior to May 1, 1917 and continuously thereafter and having filed no tariff schedules covering such operations with the Commission, cannot reasonably claim protection on the ground of Counsel's contention as to inherent legal rights of irregular operators. There is accordingly a certain volume of business heretofore handled in such "regular" operations by unauthorized carriers that should be taken care of under regulation by the Commission and

handled by transportation companies holding certificates of public convenience and necessity from the Commission. Furthermore, the evidence shows that there is a large volume of operations now conducted irregularly or otherwise by concerns in San Francisco on whose behalf Counsel Baker did not appear in protest.

It would therefore appear that the granting of certificates of public convenience and necessity to applicants herein may be determined outside of the question of any possible inherent legal operative rights of the irregular operators referred to by Counsel Baker and that their irregular operations cannot be considered reasonably as a sufficient ground for the Commission failing or refusing to authorize regular operations in accordance with the requirements of public convenience and necessity.

The very contention of Counsel Baker that there is a large volume of business conducted over these routes shows that public convenience and necessity for this transportation exist.

In granting the certificates provided for herein, the Commission has in mind the fact that the hauling of furniture, household goods and personal effects constitutes a form of transportation different in some respects from the transportation of general freight handled commercially. The private ownership of household goods and the personal intimacy which many articles may have toward the owner regardless of cost or commercial value, together with the breakable character and irreplaceable nature of some of the goods to be moved, justify the Commission in exercising more than ordinary latitude in the granting of certificates of public convenience and necessity for this class of operation, thus giving the public a choice of services, provided however, that the responsibility and equipment of the operator in every case is thoroughly satisfactory.

The testimony in this proceeding reveals a considerable

volume of business to be handled over the routes mentioned and clearly shows the desirability of adequate equipment being conveniently available in several of the larger cities mentioned.

The three applicants herein propose to operate covered furniture vans properly equipped for the protection of uncrated and miscellaneous household goods, and are experienced in the moving of furniture, household goods and personal effects. Two of the applicants have operated for years over the routes mentioned and have held out their services to the public in good faith believing that their operations were lawfully conducted, and the public has shown a demand for their services. The third applicant is a new corporation owning no equipment, but proposing to purchase first class equipment for these operations, and claiming to be ready to invest a minimum of \$20,000. capital to begin operations, and all of its members are experienced in this class of work.

We accordingly hereby find as a fact that public convenience and necessity require the operation by Consolidated Furniture Moving Corporation, a corporation of an automotive truck line as a common carrier of household goods, furniture, pianos and similar personal effects, including trunks and baggage, between the following termini:

1. Between San Francisco, Oakland and Sacramento via Vallejo.
2. Between San Francisco, Oakland and Sacramento via Tracy and Stockton.
3. Between San Francisco and Santa Rosa via Sausalito and San Rafael.
4. Between San Francisco and San Jose via San Mateo and Palo Alto.

All routes to include each and all intermediate points and territory extending laterally for a distance of 25 miles on either side of the highways traversed.

We hereby further find as a fact that public convenience and necessity require the operation by Sarah S. Burger of an automotive truck line as a common carrier of household goods, furniture, pianos and similar personal effects, including trunks and baggage, between San Francisco, Oakland and Sacramento and intermediate points via Vallejo, including territory laterally on either side of the highway for a distance of 10 miles.

We hereby further find as a fact that public convenience and necessity require the operation by Milo W. Bekins, Floyd R. Bekins, Reed J. Bekins and R.M.B.Holt, partners in business under the name Bekins Fireproof Storage, of an automotive truck line as a common carrier of household goods, furniture, pianos and other personal effects, including trunks and baggage, between San Francisco, Oakland and Sacramento via Vallejo; between San Francisco and Santa Rosa via Sausalito and San Rafael, including territory laterally on either side of the highways traversed and beyond the terminals named for a distance of 30 miles; and also operation of automotive trucks for the transportation of the commodities hereinabove named between San Francisco and East Bay cities, including Oakland, Berkeley, Alameda, Piedmont and Emeryville.

Inasmuch as the rates proposed by the respective applicants are very similar with respect to identical operation over the same routes for the handling of the same commodities, it is deemed proper in the present instance to establish a uniform rate in the competitive territory. The Order will so provide. The Order will further provide that the Consolidated Furniture Moving Corporation, which

does not at the present time own any equipment in its own name, shall file with this Commission a verified statement made by its secretary to the effect that the sum of \$20,000 has been paid into the treasury of applicant corporation or a like amount has been invested by said corporation in equipment to be used in the proposed service, before the certificate granted to said Consolidated Furniture Moving Corporation shall become effective.

I herewith submit the following form of Order.

ORDER

Public hearings having been held in the above entitled applications, evidence submitted, the Commission being fully advised and basing its Order on the statements contained in the Opinion preceding this Order, together with the findings of fact as therein contained,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Consolidated Furniture Moving Corporation, a corporation; Sarah S. Burger, doing business under the name of Liberty Transfer and Storage Company; and Milo W. Bekins, Floyd R. Bekins, Reed J. Bekins and R. M. B. Holt, partners in business under the name Bekins Fireproof Storage, of automotive truck lines for the common carriage of household goods, furniture, pianos and other personal effects, including trunks and baggage, between San Francisco, Oakland, and Sacramento and intermediate points via Vallejo.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY FURTHER DECLARES that public convenience and necessity require the

operation by Consolidated Furniture Moving Corporation, a corporation, of an automotive truck line for the common carriage of commodities as set forth in the above declaration between San Francisco, Oakland and Sacramento and intermediate points via Tracy, Stockton and Lodi.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY FURTHER DECLARES that public convenience and necessity require the operation by Consolidated Furniture Moving Corporation, a corporation, and by Milo W. Bekins, Floyd R. Bekins, Rood J. Bekins and R. M. B. Holt, partners in business under the name Bekins Fireproof Storage, of automotive truck lines for the common carriage of commodities as set forth in the first declaration herein between San Francisco, Santa Rosa and intermediate points, via Sausalito, San Rafael and Petaluma.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY FURTHER DECLARES that public convenience and necessity require the operation by Consolidated Furniture Moving Corporation, a corporation, of an automotive truck line for the transportation of commodities as set forth in the first declaration herein between San Francisco, San Jose and intermediate points via San Mateo and Palo Alto.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY FURTHER DECLARES that public convenience and necessity require the operation by Milo W. Bekins, Floyd R. Bekins, Rood J. Bekins and R. M. B. Holt, partners in business under the name Bekins Fireproof Storage, of an automotive truck line for the transportation of commodities as set forth in the first declaration herein between San Francisco, Oakland, Berkeley, Alameda, Piedmont and Emeryville, and

IT IS HEREBY ORDERED that certificates of public convenience and necessity be, and the same hereby are granted, subject to the following conditions:

1. Said certificates granted to the Consolidated Furniture Moving Corporation, a corporation, shall include the right to transport commodities herein authorized to be carried for compensation to points laterally over each and all of the routes hereinabove mentioned for a distance not to exceed 25 miles on either side of the main highway traversed.

2. The certificates granted to the partnership doing business under the name of Bekins Fireproof Storage shall include the right to transport commodities herein authorized to be transported for compensation between San Francisco and Sacramento and between San Francisco and Santa Rosa to points laterally on either side of the main highways traversed and beyond the terminals named to a distance not to exceed 50 miles.

3. The certificate granted to Sarah S. Burger shall include the right to transport commodities herein authorized to be carried for compensation between San Francisco and Sacramento to points on either side of the main highway for a distance not to exceed 10 miles.

4. The rates to be charged by the three applicants authorized to operate between San Francisco, Oakland and Sacramento via Vallejo shall be the schedule of rates as set forth covering Route No. 2 in Application No. 9730, such rates to be governed by rules and regulations as set forth in Exhibit "A" attached to said application.

5. The rates to be charged by Consolidated Furniture Moving Corporation between Oakland and Sacramento via Stockton shall be identical with the rates as set forth in Exhibit "A" attached to its application herein, with the exception of the terminal rates between Sacramento, Oakland and San Francisco, which rates shall be identical with the rates between said points as set forth in Exhibit "A" attached to Application No. 9730.

6. The rates to be charged between San Francisco, Santa Rosa and intermediate points by Bekins Fireproof Storage and by Consolidated Furniture Moving Corporation shall be identical with the rates as set forth covering Route No. 3 in Application No. 9730.

7. The rates to be charged by Bekins Fireproof Storage between San Francisco and East Bay Cities shall be identical with the rates as set forth covering Route No. 1 in Exhibit "A" attached to Application No. 9730.

8. The rates to be charged by Consolidated Furniture Moving Corporation between San Francisco, San Jose and intermediate points shall be identical with the rates as set forth in Exhibit "A" attached to its application herein.

IT IS HEREBY FURTHER ORDERED that the certificate granted to Consolidated Furniture Moving Corporation, a corporation, shall not become effective until such time as the secretary of said corporation has filed a verified statement with the Railroad Commission to the effect that the sum of \$20,000 has been paid into the treasury of said corporation or that said corporation has secured in its own name equipment to the value of \$20,000., said equipment to be used in the conduct of its business under the certificates herein granted.

IT IS HEREBY FURTHER ORDERED that each and all of the applicants herein named shall file with the Railroad Commission within a period of not to exceed fifteen (15) days from the date hereof their written acceptance of the certificate herein granted, the written acceptance of the Consolidated Furniture Moving Corporation to contain a statement to the effect that they accept the conditions as hereinabove set forth. All applicants to file within a period of not to exceed thirty (30) days from the date hereof, in duplicate, tariffs of rates and time schedules as provided for in their respective applications, except in so far as said tariffs of rates have been revised as hereinabove set forth. Operations to commence within a period of not to exceed sixty (60) days from the date hereof, unless such time is formally extended by supplemental order of this Commission.

The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

No vehicle may be operated by applicants herein unless such vehicle is owned by said applicants or is leased by them under a contract

or agreement on a basis satisfactory to the Railroad Commission.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 3rd day of

July, 1924.

C. Seaver
H. B. Randall
Livingston Martin
Egerton Shore

Commissioners.