

Decision No. 15254

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PAT SILVESTRI and NICK BUINDA, co-
partners, for a certificate of pub-
lic convenience and necessity to op-
erate automobile freight service for
the transportation of vegetables and
potatoes between Colma on the one
hand, service to be a part of and an
extension to existing operative
rights between San Francisco, Oakland,
San Jose and intermediate points, and
to be during season of each year only.

ORIGINAL

Application No. 11167

Edward R. Solinsky, for applicants.

BY THE COMMISSION:

O P I N I O N

Pat Silvestri and Nick Buinda, co-partners, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile truck line as a common carrier of vegetables and potatoes between Colma on the one hand and San Francisco, Oakland, Hayward and San Leandro on the other hand, said service to be an extension of existing operative rights of applicants between San Francisco, Oakland, San Jose and intermediate points under and by virtue of Decision No. 11019 on Application No. 7958.

A public hearing on this application was held before Examiner Satterwhite at San Francisco, at which time the matter was submitted and is now ready for decision.

Applicants propose to charge rates, to operate on a time schedule in accordance with Exhibits "A" and "B," attached to said application, and to use the equipment described in Exhibit "C."

Applicants testified at the hearing in support of said application. The evidence shows that many farmers and ranchers bring their vegetables and potatoes to a warehouse located at Colma and that the commission houses at San Francisco purchase from day to day small lots of this produce which have been hauled by applicants daily to San Francisco. It also appears that some of these vegetables and potatoes are from time to time transported to Oakland, Hayward and San Leandro. It was shown that this produce must be moved from the warehouse at Colma to the markets with the least possible delay and the proposed service of applicants affords a direct store door delivery.

No one appeared in opposition to the granting of said application.

After careful consideration of the evidence, we are of the opinion that the application should be granted.

O R D E R

A public hearing having been held in the above entitled proceeding, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the operation by Pat Silvestri and Nick Buinda, co-partners, of an automobile truck line and common carrier of vegetables and potatoes between Colma on the one hand and San Francisco, Oakland, Hayward and San Leandro on the other hand, provided however, that the foregoing service is not authorized as a separate and distinct operative right, but as a part of and an extension to the present existing operative rights of said applicants between San Francisco, Oakland and San Jose and intermediate points, as heretofore granted to said applicants under this Commission's Decision No. 11019, on Application No. 7958.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for the foregoing service be and the same is hereby granted not as a separate and distinct service, but as supplementary and in addition to applicants' present operative rights as hereinabove referred to, and subject to the following conditions:

1. Applicants shall file their written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file, in duplicate, tariff of rates and time schedules within a period of not to exceed twenty (20) days from date hereof, such tariff of rates and time schedules to be identical with those attached to the application herein; and shall commence operation of said service within a period of not to exceed thirty (30) days from date hereof.

2. 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.

3. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all purposes, other than hereinabove stated,
the effective date of this order shall be twenty (20) days
from the date hereof.

Dated at San Francisco, California, this 4th
day of August, 1925.

H. N. Bunnell

George D. Squires

Leon Whitell
Commissioners.