

ORIGINAL

Decision No. LC467

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
UNITED PARCEL SERVICE, a corporation.)
to extend operative rights to Rich-)
mond, San Leandro and Hayward, Cali-)
fornia.)

Application No. 10874.

BY THE COMMISSION:

OPINION AND ORDER.

United Parcel Service, a corporation, in this proceeding, has applied for a certificate of public convenience and necessity permitting applicant to extend its existing operating right authorizing freight transportation service between San Francisco and Oakland and certain other East Bay communities to include the cities of Richmond, San Leandro and Hayward and to give service along the routes traversed in reaching said cities.

It is proposed to charge for the service herein sought to be established the same schedule of rates now on file with the Railroad Commission in the name of United Parcel Service, and to operate under the same rules and regulations covering service now being given by applicant in territory contiguous to that herein proposed to be served.

The service now being given by applicant United Parcel Service is of a special character, and consists of the delivery of parcels in the so-called East Bay territory from the large department stores in San Francisco, Oakland and Berkeley. Parcels from

many of the smaller stores are also delivered. Applicant also, at the request of merchants, will pick up packages for return to the said stores.

Applicant declares that it has received frequent requests from shippers and their customers for service in the territory and to the points authority to serve which is sought in this proceeding.

Other carriers giving service in the territory and between the points proposed to be served by United Parcel Service have advised the Commission, in writing, that they have no desire to protest the granting of the application herein.

In view of such notification and advices we are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted.

The Railroad Commission of the State of California hereby declares that public convenience and necessity require the operation of an automotive service for the transportation of freight between San Francisco on the one hand and Richmond, San Leandro and Hayward on the other, and also between Oakland and Berkeley on the one hand and Richmond, San Leandro and Hayward on the other, together with service along the routes traversed in reaching said points, and,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be, and the same hereby is granted to United Parcel Service, a corporation, sub-

ject to the following conditions:

1. Said service is to be operated in conjunction with and as part of the service now being given by applicant United Parcel Service, a corporation, and the certificate herein granted, is, therefore, not to be considered as a separate or distinct operating right, or as a right authorizing any service different than that now being given by United Parcel Service, except as to the added territory and points to be hereafter served under the authority herein granted.
2. Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file in duplicate, within a period of not to exceed twenty (20) days from date hereof, tariff of rates and time schedules which shall be identical with the rates and time schedules now on file with the Railroad Commission under the name of United Parcel Service, a corporation, excepting that said new tariffs of rates and time schedules shall show the new points to be served under the authority herein granted, all filings to be in accordance with the terms of the Commission's General Order No. 51; operation of said additional service to be commenced within twenty (20) days from the date hereof.
3. 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.
4. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.
5. For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 21st day
of September, 1925.

W. B. Brundage
C. C. Seavey
George D. Quines
Ernest W. White
Leon White
Commissioners.