

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of CLARK BROS. for certificate of  
public convenience and necessity  
to operate freight service between  
Watsonville and San Francisco and  
Oakland, and San Jose and Mountain  
View.

ORIGINAL

Application No. 11168

Wyckoff & Gardner, for Applicant.

BY THE COMMISSION:

O P I N I O N

A. B. Clark and Kenneth C. Clark, co-partners under the name of Clark Bros., 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 only of berries, green fruit and vegetables between Aptos, Watsonville, Aromas, Betabel and San Juan in Pajaro Valley on the one hand, and San Francisco, Oakland, Mountain View and San Jose, on the other hand.

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

Applicant proposes to charge rates and to operate on a time schedule in accordance with Exhibits "A" and "B" attached to said application and to use the equipment as shown in Exhibit "C" attached to said application.

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

Applicants testified in their own behalf and called a large number of witnesses consisting of commission merchants in business at San Francisco and Oakland, and berry growers and farmers in Pajaro Valley.

The testimony shows that for several years applicants have been engaged as private carriers of berries to San Francisco and Oakland for berry growers at Watsonville and vicinity. It appears that after the enactment of the so-called Crittenden Bill, applicants extended their operations to other kinds of farm produce consisting of fruits and vegetables and have now a lucrative and well established business with a warehouse terminal at Watsonville. The testimony also shows that berries and fruit are largely perishable and it is important that they be marketed quickly, as well as handled carefully.

It was shown that all this farm produce is hauled directly from the Watsonville depot to the places of business of the buyers and consignees in the cities proposed to be served and that applicants have furnished a prompt and satisfactory service and that their time schedules have been made to accommodate this particular and special service.

There was testimony to the effect that under present conditions many of these shippers would be compelled to haul in their own trucks if this proposed truck service were not available.

The testimony shows that the fruit and vegetables are received at the Watsonville depot from the various points in Pajaro Valley at 7:15 p.m. daily, except Saturdays, and that the trucks leave as soon as loaded and arrive in San

San Francisco and Oakland promptly at 4:00 a.m. or earlier on the succeeding day. It was shown that the territory proposed to be served is from Aptos on the northwest of Pajaro Valley, Watsonville in the center and Aromas and Betabel and San Juan on the east.

After careful consideration of the evidence, we are of the opinion that public convenience and necessity require the proposed operation of applicants and the application should be granted.

### O R D E R

A public hearing having been held in the above entitled application, the matter having been duly 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 A. B. Clark and Kenneth C. Clark, co-partners under the name of Clark Bros., of an automobile truck line as a common carrier only of berries, green fruit and vegetables between Aptos, Watsonville, Aromas, Betabel and San Juan in Pajaro Valley on the one hand, and San Francisco, Oakland, Mountain View and San Jose, on the other hand.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for the foregoing service be and the same is hereby granted 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 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.

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 12<sup>th</sup> day of October, 1925.

H. A. Brundage

George D. Lusk

Leon A. Whitell  
Commissioners.