

Decision No. 16521

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
TONY RAMPONE for certificate of pub-  
lic convenience and necessity author-  
izing the operation of automotive  
truck service for the transportation  
of farm products between Sherman Is-  
land and commission houses in Oakland  
and San Francisco. )  
Application No. 12498.

Chas. A. Beck, for Applicant.

Sanborn & Roehl and DeLancey C. Smith,  
for Hunt, Hatch & Company.

BY THE COMMISSION:

O P I N I O N

Tony Rampone has petitioned the Railroad Commission  
for an order declaring that public convenience and necess-  
ity require the operation by him of an automobile truck ser-  
vice as a common carrier of asparagus between Sherman Island  
and Oakland and San Francisco.

A public hearing in this application was conducted  
before Examiner Satterwhite at Oakland, the matter was sub-  
mitted and is now ready for decision.

Applicant proposes to charge rates in accordance with  
the proposed charges set out in paragraph 3 of said application

and to operate on a time schedule as proposed in paragraph 4 of said application and to use the equipment as set out in paragraph 5 of said application.

The testimony shows that applicant has been engaged in the transportation of asparagus from Sherman Island to the commission houses at Oakland and San Francisco for five years last past and that the asparagus growers upon this island desire him to conduct this proposed service. Applicant has been transporting asparagus in the past under the provisions of the so-called "Crittenden Bill" and as soon as he learned of the decision of the Supreme Court of this State, declaring such portion of the law unconstitutional, and before he began hauling asparagus from Sherman<sup>Island</sup> he immediately took steps to comply with the State law governing such transportation.

The record shows that the growers and purchasers of asparagus absolutely rely upon truck service for the transportation of this produce to the markets at Oakland and San Francisco.

There was no opposition to the granting of said application.

After a 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 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 Tony Rampone of an automobile truck service as a common carrier of asparagus between Sherman Island and Oakland and San Francisco.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said Tony Rampone for the operation of the service hereinabove described, subject to the conditions hereinafter set forth, to-wit:

1. 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, 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 him under a contract or agreement on a basis satisfactory to the Railroad Commission.

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

Dated at San Francisco, California, this 17<sup>th</sup> day of April, 1926.

3.

H. B. Brundage  
C. C. ...  
James D. ...  
Leon ...

Commissioners.

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