

Decision No. 17884.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CHARLES KUPPINGER COMPANY, Charles Kuppinger, sole owner, for certificate of public convenience and necessity authorizing the operation of automotive truck service for the transportation of furniture, household goods, pianos, etc. when originating in or destined to points in Lake County, California, and points within a radius of 250 miles thereof.

ORIGINAL

Application No. 12240.

Chas. A. Beck and Crawford & Crawford,
for Applicant,

W. H. Hazell, for G. F. Martin, Protestant.

BY THE COMMISSION:

O P I N I O N

By his amended application in this proceeding, Charles Kuppinger, doing business as Charles Kuppinger Company, seeks a certificate of public convenience and necessity authorizing the operation of motor truck service for the transportation of furniture and household goods between cities, towns or farms situate in Lake County, on the one hand, and Ukiah, San Francisco, Oakland, Alameda and Berkeley, on the other hand, together with service to intermediate points including Hopland, Cloverdale, Healdsburg, Santa Rosa, Petaluma, San Rafael and Sausalito. The proposed rates, rules and regulations accompany the application.

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A public hearing was held before Examiner Austin at Lakeport, when evidence was offered, the matter was submitted, and it is now ready for decision.

The applicant testified that he has had long experience in freight transportation, and has sufficient equipment to conduct this service, including trucks, specially designed for handling furniture. Because of the development of summer resorts on Clear Lake and elsewhere in Lake County, there has been an increasing demand for the movement of household goods; which is largely seasonal in character occurring most frequently in the spring and summer months. Applicant has been requested to furnish this service, and in fact has hauled a considerable volume of this traffic, under special contract, from points along the proposed route, including San Francisco, Oakland and Berkeley. If a through trucking service is not available, household goods must be hauled to and from some railway point, such as Hopland, Ukiah or Santa Rosa, moving the rest of the way by rail. Before such shipments are accepted for rail transportation they must be crated, facilities for this purpose existing at Ukiah and Santa Rosa, but not at Hopland. Since truck shipments need not be crated, and will move through without change, the shipper will be saved expense and delay.

No regular schedule is proposed, the service being conducted "on call."

The granting of this application was protested by G. F. Martin, who offered no testimony but contended there was still pending and undetermined an application to transport household goods, protestant referring specifically to Application No. 11452. By his original application filed in that proceeding, Martin sought

authority to handle fruit, boxes and shook between Lakeport, Big Valley and Scotts Valley, in Lake County, on the one hand, and Hopland and Ukiah on the other hand; also "to establish service for transportation of household goods and other miscellaneous articles between the town of Lakeport and vicinity, and other points in the State of California not now served by any freight line or service operating out of Lake County."

At the hearing of his application Martin tendered an amendment limiting the proposed service to the transportation of fruit, boxes, shooks, nails and fruit wrapping paper between Lakeport, Big Valley and Scotts Valley in Lake County, and Hopland and Ukiah in Mendocino County, a service subsequently authorized during the fruit season, from July 15th to September 15th of each year, by our Decision No. 15250 in Application No. 11452. Since Martin withdrew his request for authority to handle household goods, the matter is no longer before us, all matters ultimately presented for consideration in Application No. 11452 having been determined by Decision No. 15250. Subsequent to the submission of the instant case, counsel for Martin advised the Commission that he would withdraw his protest.

The evidence has established a necessity for the proposed service from Lakeport, and resorts on Clear Lake. Accordingly such a certificate will be granted.

Upon full consideration of the evidence, we are of the opinion and hereby find as a fact that public convenience and necessity require the operation by Charles Kuppinger, doing business as Charles Kuppinger Company, of a motor truck service for the transportation, as a common carrier, of furniture, household goods, pianos, trucks and like personal effects between Lakeport and Clear Lake resorts, on the one hand, and Ukiah, Hopland,

Cloverdale, Healdsburg, Santa Rosa, Petaluma, San Rafael, Sausalito, San Francisco, Alameda, Oakland, Berkeley and Richmond, respectively, on the other hand; provided, that no authority is herein granted to conduct such service between any intermediate points along such route, other than between Lakeport and Clear Lake resorts.

An order will be entered accordingly.

O R D E R

A public hearing having been held in the above entitled application, the matter having been duly submitted, the Commission being now fully advised, and basing its order on the finding of fact which appears in the opinion preceding this order;

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the operation by Charles Kuppinger, doing business as Charles Kuppinger Company, of a motor truck service for the transportation, as a common carrier, of furniture, household goods, pianos, trucks and like personal effects between Lakeport and Clear Lake resorts, on the one hand, and Ukiah, Hopland, Cloverdale, Healdsburg, Santa Rosa, Petaluma, San Rafael, Sausalito, San Francisco, Alameda, Oakland, Berkeley and Richmond, respectively, on the other hand; provided, that no authority is herein granted to conduct such service between any intermediate points along such route, other than between Lakeport and Clear Lake resorts.

IT IS HEREBY ORDERED, that a certificate of public convenience and necessity be and the same is hereby granted to said

Charles Kuppinger, doing business as Charles Kuppinger Company,
for the operation of the service herein described, subject to the
following conditions:

- 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.
- 2- Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules. such tariffs of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixth (60) 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.

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 12¹⁵ day of
January, 1927.

Ernest J. [Signature]
H. B. [Signature]
W. [Signature]
Leon [Signature]
Commissioners.