



limits of Salinas, Chualar, Gonzales, Soledad, Greenfield and King City and all points intermediate between the southerly city limits of Salinas and King City, together with the right to serve all the territory for a distance of seven miles on either side of the highway traversed between the southerly limits of Salinas and King City.

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

Applicants propose to charge rates and to operate under rules and regulations in accordance with Exhibit A attached to said application.

Applicants propose to operate two schedules weekly, on Monday and Thursday, and also propose to conduct a special schedule once a week on Wednesday for the transportation of calves, in accordance with the time schedule as shown in amended Exhibit B attached to said application.

Applicants propose to use one Garford truck and trailer and also one Graham truck in the operation of their service and all additional equipment that may be necessary to provide for a high-class freight transportation service in the territory to be served.

The Southern Pacific Company, the American Railway Express Company, the Highway Transport Company and the Salinas King City Freight Line protested the granting of this application.

Louis Costa, co-applicant, testified in his own behalf and called about 16 merchants and business men as witnesses in support of the proposed service.

The record shows that applicants, under and by virtue of the limited certificate granted in Decision No. 15723 on Application No. 10504, have been engaged in the transportation of cheese, canned milk, cream, dairy products and meats from all farms, dairies and ranches lying within a zone extending laterally for a distance of seven miles on either side of the main travelled state highway extending from Salinas to King City via Chualar, Gonzales, Soledad, Greenfield and King City to San Francisco, and for the transportation from San Francisco to all of said farms, dairies and ranches lying within the zone above described (except and excluding therefrom all territory within the corporate town limits of Salinas, Chualar, Gonzales, Soledad, Greenfield and King City) of groceries, hardware, farm implements and farm supplies.

In the operation of the present restricted service it appears that applicants in the maintenance of this service pass regularly and constantly through the business sections or areas of Chualar, Gonzales, Soledad and Greenfield, all of which towns are unincorporated. The record shows that by reason of the fact that the above four towns are unincorporated and have no defined territorial limits, considerable confusion and uncertainty has arisen as to the exact operative rights of said applicants in the conduct of their authorized limited service in the territory adjacent to these communities.

The evidence shows that from the inception of their limited service applicants have received persistent and continuous requests from the merchants in the towns of Chualar, Gonzales, Soledad and Greenfield, as well as King

City, for transportation to and from San Francisco of goods, wares and merchandise of all kinds other than those permitted to be transported under their existing limited certificate.

San Francisco is one of the chief buying centers, not only for all of the merchants and business men in these four unincorporated communities, but for the farmers and ranchers along the road for goods and commodities not allowed to be transported by applicants under their present restricted service. The record shows that in the business sections of these four unincorporated towns there are a considerable number of general merchandise stores, shoe stores, butcher shops, bakeries, confectionery and soft drink places, as well as garages, service stations, machine shops and other similar business enterprises. All of the witnesses for applicants who appeared at the hearing were merchants or business men conducting one or the other of such stores or business places in the communities above mentioned. The town of Greenfield is the only community through which the rail line of the Southern Pacific does not pass. Freight shipments to and from this community must be trucked about 8 miles to Soledad, the nearest town served by rail.

The testimony of all of applicants' witnesses was to the effect that they desire and need a store door pick-up and delivery service which is not afforded by the existing rail facilities in the unincorporated communities. It appears that this demand for a store door service arises from the greater convenience, expedition and economy of such a truck service. It was shown that many emergency shipments by garage, service station and machine shop operators are

made to these communities; also that perishable commodities, such as fruits and vegetables, as well as many other commodities purchased by these merchants from San Francisco are more satisfactorily and expeditiously transported by truck.

With reference to the proposed special schedule of applicants for the transportation of dressed calves to San Francisco the evidence shows that by reason of the fact that these towns are the business centers for a large dairying territory, many farmers bring their calves either to or near these communities on the highway traversed for shipment to San Francisco and that the volume of these particular shipments is such that applicants would be justified in operating a special weekly schedule to meet the demands for transporting them to San Francisco.

The American Railway Express Company offered no oral testimony, but introduced in evidence two exhibits showing its passenger train service, as well as express rates between the rail points proposed to be served. Train No. 70 leaving San Francisco at 9:00 p.m. makes stops at the towns proposed to be served in the early hours of the morning between 12:30 a.m. and 1:30 a.m. Train No. 78 leaving San Francisco at 8:00 a.m. serves these points between 11:15 a.m. and 12:30 p.m. Trains No. 69 and No. 77 northbound leave King City at 6:15 a.m. and 6:00 p.m. respectively and make stops at the rail points proposed to be served.

The Southern Pacific Company called P. W. Bernard as a witness, who testified to the effect that this rail carrier operates a daily L.C.L. freight service, excepting Sundays, to the points proposed to be served leaving

San Francisco at 9:30 p.m. and serving these communities between 10:30 a.m. and 2:00 p.m. the next day.

The Highway Transport Company and the Salinas King City Freight line, protestants, offered no evidence whatever in support of their protests.

We have carefully considered all the evidence in this proceeding and are of the opinion and hereby find as a fact that public convenience and necessity require the proposed service of applicants, and that the application should be granted.

### O R D E R

Public hearings 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 Riccardo Tunzi and Louis Costa, co-partners, doing business under the fictitious name of Salinas Valley Freight line, of an auto truck line as a common carrier of freight between San Francisco and the southerly city limits of Salinas, Chualar, Gonzales, Soledad, Greenfield and King City/ and all points intermediate between the southerly city limits of Salinas and King City, together with the right to serve all the territory for a distance of seven miles on either side of the highway traversed between the southerly limits of Salinas and King City.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said Riccardo Tunzi and Louis Costa, co-partners, for

the operation of the service hereinabove described not as a new or separate service, but in lieu of applicants' present freight operative rights as authorized in the above named Decision No. 15723 on Application No. 10504, 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.
2. Applicants 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 sixty (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 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.

The effective date of this order shall be twenty days from the date hereof.

Dated at San Francisco, California, this 9th day of August, 1927.

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*Leon Whittell*  
*Thos. D. Kautz*  
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*W. H. Cunn*  
Commissioners.