

Decision No. 24401.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 E.F. ZANETTA, for a Certificate of
 Public Convenience and Necessity to
 operate an auto-truck line for the
 transportation of property between
 San Francisco, Oakland and San Jose,
 on the one hand, and Castroville,
 Marina, Seaside, Monterey, Pacific
 Grove and Carmel, and intermediate
 points on the other hand, via Watson-
 ville or San Juan and Gilroy and San
 Jose, as an enlargement and/or ex-
 tension of applicant's existing
 operative rights.

ORIGINAL

Application
No. 17624

Sanborn, Roehl & Brookman, by W.H. Kessler,
 for applicant.
 W.S. Johnson for Southern Pacific Company
 and Pacific Motor Transport Company,
 Protestants.
 Edward Stern for Railway Express Agency, Inc.,
 Protestant.
 George D. Pollack for Wexmuth Transportation
 Company, Protestant.

BY THE COMMISSION:

O P I N I O N

E.F. Zanetta has made application to the Railroad Commission for a certificate of public convenience and necessity for a service for the transportation of property by auto truck between San Francisco and Monterey, Carmel, Pacific Grove and the intermediate points of Marina, Seaside, Castroville and a zone five miles on either side of the highway between Castroville and Monterey. The service is proposed as an enlargement of his present operations between the same termini, limited to fish and farm and ranch products northbound, as authorized by Decision No. 22799 on Application No. 16000 dated September 11, 1930.

Public hearings thereon were conducted by Examiner Kennedy at Monterey and San Francisco, the matter being duly

submitted on briefs and now being ready for decision.

The application is based on alleged demand of shippers in the Monterey Peninsula district and San Francisco for an overnight method of transportation between the points providing early morning delivery. In support of this applicant produced 23 business men of Monterey, Pacific Grove and Carmel. All testified as to their need of an overnight service for freight from San Francisco, with varying modifications. Two thirds of this number testified they were using similar service operated by Western Truck Company, a so-called contract carrier; many also used the service of Pacific Motor Transport Company and Railway Express Agency, all with morning delivery. Others used Highway Transport Company service though this use from San Francisco appears small, due to the routing via San Jose. Others used the express service of Pacific Greyhound Lines. While most of the witnesses presented by applicant expressed desire that this service be authorized, they also expressed satisfaction with the service of Pacific Motor Transport and Railway Express service. Those who used Western Truck Company, in the main, regarded its service, and especially its rates, satisfactory. Applicant produced only two witnesses from San Francisco, both fruit and vegetable shippers now using applicant's service.

From their testimony it is plain that overnight service with early morning delivery is the demand of San Francisco shippers and Monterey Peninsula receivers of freight; it also appears plain that they now have a service adequate to meet their demands in the service of Pacific Motor Transport Company and Railway Express Agency, each of which makes early morning delivery at Monterey, Carmel and Pacific Grove. That this is true is found in the testimony of sixteen witnesses, all business men, produced by protestants and who all expressed satisfaction with existing facilities. While some of them used the unauthorized

truck service it was largely because of arrangements made by the San Francisco consignors.

Thorough consideration of the record herein results in the conclusion that there is now adequate overnight service to Monterey Peninsula points from San Francisco. Four public services exist. One of these, Pacific Motor Transport Company, is maintaining a service that accomplishes all that seems to be expected by the evidence of witnesses in this proceeding. This service is a special merchandise car leaving San Francisco daily at 9 PM, containing shipments to Monterey and Carmel. It is set out from the freight train at Watsonville Junction during the night and is picked up early the next morning by passenger train No.30 and taken to Monterey where it arrives, on the average, at 8:22 AM. This was actual performance for the month of October, according to the testimony of P. W. Barnard, a witness for Southern Pacific Company. This car averaged 19,342 pounds per shipping day, of which 2,874 pounds were destined to Carmel. This service was established October 6, 1931, and was adopted to improve freight service which had theretofore arrived about noon. Of the gross amount over 50 percent is Pacific Motor Transport cargo which receives immediate delivery in Monterey, and delivery before noon over Wermuth Truck line at Carmel. The service to Pacific Grove is by freight train to Elkhorn, where l.c.l. freight for all points between Elkhorn and Pacific Grove, excluding Monterey and Carmel, is placed in a car and delivered. This car discharges cargo at all points reaching Pacific Grove at 2:26 PM of the first day. During October its average tonnage was 6,092 pounds, the bulk of which was delivered at Del Monte Junction - not involved here - and about 3,850 pounds to Pacific Grove, Asilomar and Lake Majella. Pacific Motor Transport Company makes delivery in Pacific Grove.

Railway Express Agency, Inc. has free pickup in

San Francisco over a large zone and receives shipments at its depot at all hours. It has three services daily to Monterey (one by connection at Salinas with Pacific Greyhound Lines) arriving at 8:10 AM, 11:45 AM and 6:30 PM. Its principal service is the one arriving at 8:10 AM (the same train that brings the freight merchandise car of Southern Pacific Company) which also reaches Pacific Grove at 8:19 and Carmel at 8:45, schedule time. W.W. Rodehaver, agent of Railway Express Agency at Monterey testified that three regular deliveries are made daily in the business district of Monterey and two in the residence district.

It appears from the record that prompt deliveries are being made now at Monterey, Carmel and Pacific Grove by Pacific Motor Transport Company and Railway Express Agency. There are many who require cheap transportation with advantage of early delivery and they have this through Pacific Motor Transport Company in its existing schedules. Though these schedules were not established until October 6, 1931, after the instant application was filed, the operation on slower schedules was established in April 1930. It appears unnecessary at this time, with four active carriers available, that a fifth should be authorized even though a large volume of traffic has been diverted to a carrier operating on alleged contract basis. We, therefore, believe the application should be denied and an order accordingly will be entered.

O R D E R

E.F. Zanetta having made application for a certificate of public convenience and necessity to establish and operate automotive truck service as a common carrier of property between San Francisco and Monterey, Carmel, Pacific Grove and points intermediate to Castroville and Monterey, a public hearing having

been held, the matter having been duly submitted and now being ready for decision,

IT IS HEREBY ORDERED that the application be and the same hereby is denied.

Dated at San Francisco, California, this 10th day of

January 1932.

C. J. [Signature]
Leon Whipple

M. J. [Signature]

W. B. [Signature]

Jos. G. [Signature]
COMMISSIONERS.