

Decision No. 24813**ORIGINAL**

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of  
 RAILWAY EXPRESS AGENCY, INCORPORATED,  
 OF CALIFORNIA, for a certificate of  
 public convenience and necessity to  
 operate motor vehicles for season  
 operation for the transportation of  
 products of agriculture for Railway  
 Express Agency, Incorporated, or its  
 successors, between Santa Cruz,  
 Watsonville Junction and intermediate  
 points, via Capitola.

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 } Application  
 } No. 18163  
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BY THE COMMISSION -

O P I N I O N

Railway Express Agency, Inc., of California, seeks a certificate of public convenience and necessity to operate motor vehicles for the transportation of products of agriculture for Railway Express Agency, Inc. between Santa Cruz and Watsonville Junction and intermediate points via Capitola. Applicant now possesses other certificates for similar service limited to the transportation of shipments consigned to Railway Express Agency, Inc. of Delaware (of which applicant is a subsidiary), and between agencies of the Express Company and for no other purpose. In the present instance quantities of perishable products, such as berries, cherries, etc. of agriculture are moving in large volume to points south of Watsonville Junction. Applicant, by reason of train connections, is required to move perishables by morning train reaching the Los Angeles market in the evening, or, in any event, on trains reaching this market and other southern markets at an inopportune time. By the certificate herein sought applicant will be able to transport its shipments by truck from the stations between Santa Cruz and Watsonville Junction, delivering same to Southern Pacific Train No. 78 leaving Watsonville Junction, southbound, at 9:22 P.M., and reaching Los Angeles at 8:15 A.M. The rates are

to be the express rates of Railway Express Agency, Inc. now on file with this Commission. By the use of this service applicant will advance its deliveries in Los Angeles approximately twenty-four hours. This train connection cannot be made by any connecting train service between Santa Cruz and Watsonville Junction. Delivery to market at Los Angeles will be accomplished before 9:00 A.M. the morning after shipment from the region of production. Otherwise, shipments would not be available for the market until the following morning. The expedition is necessary for the preservation of the shipments and the protection of their quality and price in the markets sought and is designed to benefit producers. Deliveries are also made at other points south of Watsonville Junction with advance in delivery.

We believe this is a matter in which a public hearing is not necessary as it is emergency movement exclusively of the shipments tendered Railway Express Agency, Inc. at its stations at Santa Cruz, Capitola, Aptos, Watsonville and points intermediate to Watsonville Junction, some of which are not provided with railway service. In addition no truck carrier is certificated to transport the shipments between the points of production and the market points south of Watsonville Junction.

O R D E R

Railway Express Agency, Incorporated, of California, having made application for a certificate of public convenience and necessity to operate motor vehicles for the transportation of property between its stations at Santa Cruz, Capitola, Aptos, Watsonville and intermediate points to Watsonville Junction,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment of this service for the transportation of products of agriculture between Santa Cruz and Watsonville Junction and intermediate points, and on schedules connecting with Train No.78 at Watsonville Junction

over and along the highway between termini via Capitola, provided, the transportation of commodities shall be limited to products of agriculture consigned for shipment over the lines of Railway Express Agency, Inc. of Delaware, and its stations at points served only and for no other service; and only for shipments when consigned to points south of Watsonville Junction; and only for the period April 1st to August 1st, inclusive, of each year; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted subject to the following conditions:

1. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
2. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days from the date hereof, on not less than one day's notice to the Commission and the public a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in the application insofar as they conform to the certificate herein granted.
3. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days from date hereof, on not less than one day's notice to the Commission and the public, time schedules, according to form provided in General Order No. 83, covering the service herein authorized, in a form satisfactory to the Railroad Commission.
4. 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.
5. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it 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 25<sup>th</sup> day of May, 1932.

C. C. Harvey  
John A. Whelan  
M. B. Harris