

Decision No. 24018

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
ADOLPH TOLOMEI, E. DEL GRANDE and
LOUIS J. GERBONI, copartners doing
business under the name of Half Moon
Bay Drayage Company, for a certifi-
cate of public convenience and ne-
cessity to operate an auto truck
service as a common carrier between
San Gregorio, California, and vicin-
ity and San Francisco, California.

ORIGINAL

Application No. 17742.

Thelen & Marrin, by Paul S. Marrin, and
Gordon Johnson, for Applicants.

DeLancey C. Smith for Caesar Pelligrini,
Interested Party.

Jas. A. Miller, for Coastside Transpor-
tation Company, Protestant.

BY THE COMMISSION:

O P I N I O N

Adolph Tolomei, E. Del Grande and Louis J. Gerboni, co-
partners doing business under the name of Half Moon Bay Drayage
Company, have petitioned the Railroad Commission for an order de-
claring that public convenience and necessity require the exten-
sion of service now rendered between San Francisco and Half Moon
Bay to San Gregorio and contiguous territory for the transporta-
tion of farm products and the return of empty containers.

Public hearings on this application were conducted by
Examiner Handford at San Francisco, the matter was duly submitted
upon the filing of briefs by counsel, and is now ready for decision.

Applicants propose rates in accordance with a schedule marked "Exhibit A" attached to the application; to operate two round trips daily, except Sunday; and to use equipment as now operated on their regularly authorized line between Half Moon Bay and San Francisco.

Applicants rely, as justification for the granting of the desired certificate, upon the fact that the territory proposed to be served is devoted to the production of farm produce; that there is no rail line serving the territory; that but one authorized truck line is now operative in the territory and that ranchers and producers of farm produce desire a rapid and efficient service to market their products in San Francisco.

By stipulation it was agreed that the application would not cover the territory south of Half Moon Bay to and including Tunitas, such territory already being served by an existing truck line.

Louis J. Gerboni, one of the applicants, testified that the co-partnership had been requested to extend their service to the San Gregorio district by the ranchers there, and also testified as to the proposed service to be rendered by the applicant co-partnership. It appears from the record that this witness formerly operated trucks from the San Gregorio district and hauled farm produce, but that no hauling had been done since witness became a member of the partnership now operating between Half Moon Bay and San Francisco.

Five ranchers of the San Gregorio district testified in behalf of the applicants.

These ranchers farm an aggregate of 766 acres raising artichokes, sprouts, peas, corn, green and dried beans, all of

which are marketed in San Francisco. The proposed service of the applicants is endorsed and would be used by these ranchers, if service should be authorized. Witnesses testified that the present service is unsatisfactory and often results in late arrivals at San Francisco, also that difficulty is experienced in the prompt return of empty carriers. On cross examination no specific complaint was brought to the Commission's attention and the fact was developed that in all cases of late arrival at San Francisco and loss of market prices for the farm products claims were promptly paid if same were made by the shippers or receivers of the freight.

Three commission men of San Francisco also testified in favor of the granting of the application, one of whom desired a service which would arrive at San Francisco at approximately noon of each day.

The granting of this application is protested by the Coastside Transportation Company, an authorized carrier of passengers, freight, baggage and express between the territory proposed to be served and San Francisco. This company also operates to Pescadero and Santa Cruz, and from San Mateo as a branch line.

These ranchers of the San Gregorio district and six representatives of commission houses in San Francisco testified on behalf of the protestant. These shippers and receivers of freight had no complaint against the existing service of protestant, and had received good service on goods from the San Gregorio territory.

The Commission has given careful consideration to the record in this proceeding. It appears therefrom that the territory for which an extension of service is proposed is one that is sparsely settled and while at certain crop

seasons it produces and offers considerable tonnage for movement to the San Francisco market, the tonnage as a regular proposition is not great and there is no material complaint as to the handling given by protestant. The record shows that wherever claims have been made, due to the loss of goods or to inferior prices having been received due to late arrival of trucks, such claims have been promptly paid. Such complaints, however, have not been frequent and are not unusual for this class of transportation.

It appears that the Coastside Transportation Company possesses ample equipment to satisfactorily care for all business offering, not alone for the San Gregorio district, but for other points reached by its lines.

Some of the applicants' witnesses desired a service installed that would result in arrival at San Francisco about noon of each day. It appears that such a service was once installed by the Coastside Transportation Company, but it was not patronized by the growers and shippers, and, after a trial, the service was discontinued. The Coastside Transportation Company is willing to install any service that is desired by its patrons and at any time, if such service will be profitable and will meet with the demands of its patrons.

After full consideration of the record herein, we conclude that the applicants have not justified their claim that public convenience and necessity require an extension of applicants' service into the San Gregorio district. Applicants do not propose to haul anything excepting farm products and returning empty carriers. It is our conclusion that the service on all commodities as now rendered by the Coastside Transportation Company to and from the San Gregorio

territory is reasonably satisfactory and that there is no necessity for the service of an additional carrier into the San Gregorio district as proposed.

O R D E R

Public hearings having been held on the above entitled application, the matter having been duly submitted on the filing of briefs by counsel, and the Commission being now fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity do not require the operation by Adolph Tolomei, E. Del Grande and Louis J. Gerboni, co-partners doing business under the name of Half Moon Bay Drayage Company, of an auto truck service as a common carrier of farm produce between San Francisco and the San Gregorio territory as an extension to present operative rights between San Francisco and Half Moon Bay,

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

The effective date of this order is hereby fixed as twenty (20) days from the date hereof.

Dated at San Francisco, California, this 27th day of June, 1932.

C. Deane
Leon Sweeney
W. A. Carr
W. B. Hayes
Fred G. Stewart
Commissioners.