

Decision No. 25894.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
FRED JOW, an individual doing business)
under the name and style of CHINA DRAYING)
COMPANY, for a certificate of public con-)
venience and necessity authorizing the)
operation of auto trucks for the trans-)
portation of property shipped by or con-)
signed to persons, firms or corporations) Application
of the Chinese race or owned and/or man-) No. 18586.
aged by such persons, for compensation over)
the public highways of this State between)
the City and County of San Francisco on)
the one hand and Oakland, Alameda, Berkeley)
and Emeryville, County of Alameda, on the)
other hand.)

ORIGINAL

Toland C. McGettigan, for Applicant,
H.W. Hobbs for Pacific Motor Transport
Company and Southern Pacific Company,
Protestants,
G. H. Baker and A. H. Hart for lines
parties to Pacific Freight Bureau Tariff,
Oscar T. Barber and Percy A. Smith for
Canton Express Company, Protestant,
G. E. Duffy, for The Atchison, Topeka & Santa
Fe Railway Company, Protestant,
A. E. Hart and G. H. Baker for Allen's Express,
Draying & Moving Company, Kellogg Express,
Interurban Express, United Transfer Company,
East Bay Drayage Company and Haslett Ware-
house Company, Protestants.
E. C. Lucas and Guy Hill for Pacific Greyhound
Lines, Protestant.

BY THE COMMISSION:

O P I N I O N

Fred Jow has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an auto truck line as a carrier of property between the City and County of San Francisco on the one hand and Oakland, Alameda, Berkeley and Emeryville, County of Alameda, on the other hand.

A public hearing on this application was conducted by Examiner Handford at San Francisco, the matter was duly submitted and it is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule as attached to the application and to operate one

round trip daily, except Sundays and holidays, using as equipment four trucks varying from one ton to three and one-half tons capacity.

Applicant relies, as justification for the granting of the desired certificate, upon the following alleged facts:

That there are located in San Francisco a number of Chinese retail stores and wholesale and manufacturing establishments. There are a small number of Chinese retail stores in Oakland and the other eastbay cities. For many years the Chinese eastbay retail stores have purchased, and now purchase, their goods and wares from the San Francisco Chinese establishments. The products and merchandise handled, are manufactured by and sold for and to Chinese trade. The negotiations in connection with the buying and selling of goods is carried on for the most part in the Chinese language and transactions are conducted in accordance with Chinese customs and trade practices. That goods and merchandise purchased in San Francisco by the eastbay Chinese merchants are bought for the most part in small quantities to meet daily demand and that there is a need for rapid reliable and economical daily transportation operation between the transbay points providing a pick-up and delivery service between the Chinese establishments in San Francisco and those of the eastside bay points. Existing carriers are alleged to be unable to adequately supply the transportation service required because of the inability of the majority of the Chinese shippers and/or consignees to speak the English language, of the difference in Chinese and American trade customs, and the peculiar nature of some of the commodities requiring transportation.

The applicant only proposes transportation of property if the shipper or receiver is a member of the Chinese race and

and general transportation for the public is not contemplated.

Applicant has for some years been engaged in transbay operation by daily truck service and now desires that such service be certificated and rendered under the regulation of this Commission.

Two witnesses, employed in Chinese retail stores in Oakland, testifying in behalf of applicant stated that they received goods from San Francisco, that none of their employees were familiar with the English language, and that it was necessary for the proper conduct of their business to employ the services of a transportation company utilizing drivers who spoke and understood the Chinese language and customs.

By stipulation the testimony of twelve witnesses was received as being the same as the testimony of the two above referred to.

The granting of this application is protested by two railroads and a number of automobile truck carriers now operated between San Francisco and the eastbay cities. It appears from the testimony of witnesses for such protestants, that there is at present ample service between the points sought to be served, and that the existing authorized truck carriers have available in the neighborhood of 250 trucks which, if necessary, are available for this service. Practically all truck companies now operate twice daily and have ample space on their trucks for additional business. The needs and requirements of the Chinese trade are, and have been, satisfactorily met by the existing carriers, and no difficulty has been experienced in satisfactorily caring for the requirements of the Chinese patrons.

The record of evidence does not show any complaint by patrons or any proof of the allegation of inadequacy of service or equipment of the existing authorized carriers between San Francisco and the eastbay cities.

The granting of the instant application might prove to be a convenience to a certain limited number of prospective patrons of this applicant, but there is no necessity shown from this record which would justify the issuance of the desired certificate. The record fails to show public convenience and necessity and the application should be denied.

O R D E R

A public hearing having been held on the above entitled application, the matter having been duly submitted 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 Fred Jow, of an auto truck line as a common carrier for compensation between the City and County of San Francisco, on the one hand, and Oakland, Berkeley, Alameda and Emeryville, Alameda County, on the other hand, for the carriage of property originating with or destined to members of the Chinese race, and

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

Dated at San Francisco, California, this 1st day of ^{May} ~~April~~, 1933.

O. L. Seaver
Leon Whitely
W. J. Van
M. B. Lewis
Commissioners.