

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application of
J. M. WARD for certificate of public
convenience and necessity to operate
freight and express service between
Santa Cruz and Oakland.

Application No. 7523.

B. S. Gregory for Applicant.
L. N. Bradshaw, for Southern Pacific
Company, protestant.
Edw. L. Stern, for American Railway
Express, protestant.

BY THE COMMISSION:

O P I N I O N

A public hearing was held by Examiner Westover at Oakland on the above entitled application, which, as amended at the hearing, seeks authority for J. M. Ward and F. P. Boell to operate a freight and express service between Oakland and Watsonville via Santa Cruz, serving also as intermediate points Los Gatos, Seabright, Soquel and Aptos.

The testimony presented on behalf of applicants related almost exclusively to the transportation of berries, eggs and vegetables from Santa Cruz and Watsonville to commission houses in Oakland. The proposed rates of applicants on these items, and the proposed rules and regulations, are those of the American Railway Express Company, which serves all the points in question over the rails of the Southern Pacific Company. The proposed time in transit is no less than that by rail, and both the express company and the applicant furnish pick-up and delivery service at Oakland, Santa Cruz and Watsonville, which are the only points concerning which there was any testimony

presented. Berries, eggs and vegetables arriving by express are delivered between 12 at night and 6:00 a.m., and berries leaving Watsonville at 7:00 p.m. by freight on the berry extra are available for delivery in Oakland by 5:30 the following morning.

There was some testimony to the effect that strawberries and the more perishable vegetables arrive in better condition when transported by truck than by rail, apparently due to the warmer temperature in express and baggage cars, and less breakage of eggs shipped by trucks. It appears that these applicants have been operating without authority and that they failed to make a showing of their financial ability to operate the line and provide a dependable and permanent service.

O R D E R

A public hearing having been held upon the above entitled application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by J. M. Ward and E. P. Boell, or either of them, of an automotive freight and express service between Oakland, Santa Cruz and

Watsonville or any intermediate points.

IT IS HEREBY ORDERED that the above application be,
and it is, hereby denied.

Dated at San Francisco, California, this 5th day
~~of March~~ ^{April} 1922.

H. B. ...

Albert H. ...
H. ...
Commissioners.