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Decision No. 10964

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of)
 MARIN COUNTY PARCEL DELIVERY for)
 certificate of public convenience :
 and necessity to operate parcel :
 delivery service between San Francisco,)
 California, and Sausalito, Larkspur,) Application No. 8026
 Baltimore Park, Kentfield, Ross, San :
 Anselmo, Lansdale, Pastori, Yolando, :
 Manor, Laverne, Fairfax, Mill Valley,)
 Kent, San Rafael, California. :
)

Fred Addlestone for Applicant.

P. A. Vinciglione for San Francisco-Sausalito & Mill Valley Express Company, Protestant.

Edw. Stern for American Railway Express Company, Protestant.

MARTIN, Commissioner.

O P I N I O N

Fred Addlestone, R. Cornwell and J. Addlestone, co-partners doing business under the fictitious name of Marin County Parcel Delivery, have petitioned the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of an automobile truck line as a common carrier of parcels and express matter between San Francisco, and Sausalito, Larkspur, Baltimore Park, Kentfield, Ross, San Anselmo, Lansdale, Pastori, Yolando, Manor, Laverne, Fairfax, Mill Valley, Kent, San Rafael, California.

A public hearing on the above entitled proceeding was held on August 10th, 1922 at San Francisco, California, at which

time the matter was submitted and it is now ready for decision.

Applicant herein proposes to operate a daily service between San Francisco and the Marin County points hereinabove mentioned, handling principally small packages from department stores for delivery to customers in Marin County. The application provides a rate of 20 cents for packages up to 25 pounds each, no packages exceeding 25 pounds to be accepted for transportation, with the exception of empty trunks, new, wicker furniture, new, lawn swings, new, and rugs. Applicant proposes a free pick up service in a restricted territory comprising the principal department stores located in San Francisco and proposes to operate two Reo trucks, with one Ford 1-ton truck in reserve for emergency purposes.

A number of witnesses were called by applicant, principally the chief shipping clerks of several of the larger department stores. Certain of these witnesses testified to the effect that the existing service was unsatisfactory. Their testimony was general in nature, however, and they could not cite any particular instance where service of protestant carriers could be considered inefficient or inadequate to properly care for traffic requirements. One witness employed by the White House, a San Francisco department store, testified to the effect that his company maintained two White trucks to care for their own deliveries to Marin County points, but that if the present service was established, these trucks could be taken off at a material saving to his house. He did not, however, advance any reason whatsoever why his establishment did not patronize the service of an existing parcel delivery concern already operating in the territory hereinabove mentioned.

The San Francisco-Sausalito and Mill Valley Express Company maintains a daily service between San Francisco and the Marin County points proposed to be served by applicant herein. However, their minimum charge is 25 cents in lieu of 20 cents proposed by applicant herein, although their weight limit for the minimum charge is 50 pounds as against 25 pounds proposed by applicant. Furthermore, they have no restrictions as to weight limitations such as that proposed by applicant, but accept and transport any commodities offered irrespective of weight.

In addition to the truck company hereinabove named, the American Railway Express maintains daily service between San Francisco and Marin County points and submitted several exhibits showing the nature of the service which they render in the territory covered by the present application. The service of the American Railway Express, however, cannot be said to meet requirements of local department stores in that the express company does not maintain free delivery zones in a considerable portion of the territory proposed to be served by applicant herein and the San Francisco-Sausalito and Mill Valley Express Company.

Testifying in protest to the granting of the application as herein proposed, J. W. Anderson, owner and operator of the San Francisco-Sausalito and Mill Valley Express Company, stated that he has no restricted free pick up zones in the City of San Francisco, but is willing and does hold himself out as willing to pick up parcels or express matter in any portion of the City without extra cost. Furthermore, that there is no weight restriction on traffic handled by him; that he has three Republic trucks, one Kleiber truck and four Ford trucks in service at the present time, and without the addition of further equipment could

readily handle fifty percent more business than is tendered to him at the present; that during the year ending December 31, 1921, he did a total business amounting to \$73,000.00 with a net profit of only \$340.99 and if the present application were granted and a competitor permitted to enter the field, handling only the small parcel business, that he would be obliged to withdraw and abandon service.

With reference to the testimony of certain witnesses called by applicant to the effect that the service of the existing carrier was inadequate and inefficient, Mr. Anderson testified to the effect that during the year 1921, there was only one parcel lost by his company and the total amount of damages claimed, all of which were paid, amounted to only \$24.00. It would appear that this is a remarkable showing considering that \$73,000.00 worth of business was handled by this company during the same period, and we cannot hold that service could be considered inefficient and inadequate.

In view of the above circumstances, we are of the opinion that there is no necessity for the establishment of additional service as herein proposed and that the application should be denied.

ORDER

A public hearing having been held on the above entitled application, evidence submitted and the Commission being fully advised,

IT IS HEREBY ORDERED that the above entitled applica-
tion be, and the same hereby is denied.

The foregoing Opinion and Order are hereby approved
and ordered filed as the Opinion and Order of the Railroad
Commission of California.

Dated at San Francisco, California, this 7th day of
September, 1922.

H. B. Roundige
David Martin
J. F. Meredith
Commissioners