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Decision No. 14016

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
WM. GIACOMAZZI for certificate of
public convenience and necessity to
establish automobile freight service
as a limited carrier of milk and
cream in cans between Santa Clara,
San Jose, Milpitas, Wayne, Irvington,
Centerville, Decoto, and intermediate
points on the one hand, and Oakland
on the other hand.

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:
)Application No. 8055
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In the Matter of the Application of
WM. GIACOMAZZI for certificate of
public convenience and necessity to
establish automobile freight service
as a limited carrier of milk and cream
in cans between Alvarado, Newark,
Centerville, Irvington, Milpitas, Wayne,
San Jose, Santa Clara and intermediate
points on the one hand, and San Francisco,
California, on the other hand.

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)Application No. 8065
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Gwyn H. Baker for Applicant.

BY THE COMMISSION,

O P I N I O N

In the two proceedings entitled as above Wm. Giacomazzi
applies for a certificate of public convenience and necessity
authorizing the operation of an automobile truck service as a
common carrier of milk and cream in cans over two separate routes,-
one between Santa Clara, San Jose, Milpitas, Wayne, Irvington,
Centerville, Decoto and intermediate points and Oakland and bet-
ween Alvarado, Newark, Centerville, Irvington, Milpitas, Wayne,
San Jose, Santa Clara and intermediate points and San Francisco.

Applicant proposes to handle milk and cream in cans
from dairies destined to creameries located at Oakland and San

Francisco and to handle no commodities whatsoever on the back haul with the exception of returning empty cans.

A public hearing in the above entitled proceeding was held before Examiner Satterwhite on September 15th, 1922, at San Francisco, California, at which time the matter was submitted and it is now ready for decision.

Although all interested parties were served with notice of the hearing, no one appeared in protest. Applicant called several witnesses engaged in the business of milk distribution in San Francisco, who testified as to the necessity for having milk and cream moved by trucks as soon as ready for transportation from the dairies.

Applicant has been engaged in this business for several years last past and has been rendering a perfectly satisfactory service according to the testimony of witnesses whose milk he has been handling. We are of the opinion that a certificate should be granted as applied for.

O R D E R

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

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the operation by Wm. Giacomazzi of an automobile truck line as a common carrier of milk and cream, only, between Santa Clara, San Jose, Milpitas, Wayne, Irvington, Centerville, Decoto and intermediate points and Oakland and between Alvarado, Newark, Centerville, Irvington, Milpitas, Wayne, San Jose, Santa Clara and intermediate points and San Francisco, and a certificate of public convenience and necessity be and the same hereby is granted subject to the following conditions:

1. That applicant Wm. Giacomazzi shall file within a period of not to exceed ten (10) days from date hereof, his written acceptance of the certificate herein granted; shall file within a period of not to exceed twenty (20) days from date hereof, in duplicate, tariff of rates and time schedules, identical with those filed as Exhibits "A" and "B" attached to the application herein; and shall commence operation of the service herein authorized within a period of not to exceed thirty (30) days from date hereof.

2. That 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.

3. That no vehicle may be operated by Wm. Giacomazzi unless such vehicle is owned by him or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

It will be distinctly understood that the certificate herein granted in no way authorizes applicant to transport any commodities whatsoever other than milk and cream in cans to San Francisco and Oakland and returning empties only from San Francisco and Oakland.

Dated at San Francisco, California, this 26th day of September, 1922.

H. H. Brounidge
Waring Martin
J. J. Pender
Commissioners