

Decision No. 11076

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
A. ELLIS for certificate of public )  
convenience and necessity to operate )  
delivery wagon or truck service be- )  
tween Bodega and Sebastopol and Santa )  
Rosa. )

Application No. 8235.

ORIGINAL

L. G. Scott for applicant.  
J. J. Geary for Northwestern Pacific  
Railroad Co.  
Geary & Geary, by Donald Geary, and  
E. E. Maggard for Petaluma &  
Santa Rosa Railroad Co.  
R. B. Leopold for Sebastopol Chamber  
of Commerce.  
Walter E. Nagle for Santa Rosa Chamber  
of Commerce.

BY THE COMMISSION.

O P I N I O N

A public hearing was held by Examiner Westover at Santa Rosa upon the above entitled application seeking authority to operate an automotive freight service for the transportation of creamery products between Bodega and Santa Rosa via Sebastopol, two round trips per week.

The present service is by the lines of the Northwestern Pacific Railroad Company via Monte Rio, an indirect route.

The proposed service will provide direct and rapid transportation between the creamery at Bodega and dealers in Santa Rosa, the goods being about two hours in transit, the distance being about 18 miles. The creamery takes the products of about 5000 cows.

It was stipulated at the hearing that if applicant's service were limited to transporting dairy products eastbound, with

no local service of any kind between Sebastopol and Santa Rosa, no protest against such service would be offered. It appeared from testimony offered on behalf of Sebastopol Chamber of Commerce that it considered such service to be in the interest of the community and not against the interest of the railroad; although the general position of the Chamber is that the railroad service should be protected and preserved where proposed truck service appears to be against its interest and to render it less able to serve its patrons.

#### 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 CERTIFIES that public necessity and convenience require the operation by A. Ellis of an automotive truck service for the transportation of dairy products between Bodega and Santa Rosa, via Bodega Road, Freestone and Sebastopol, but it does not require freight service of any kind locally between Sebastopol or Santa Rosa or points intermediate thereto.

This certificate is granted upon the following conditions:

1. Nothing herein contained shall be construed as authorizing the transportation of any class of freight locally between Sebastopol and Santa Rosa or points intermediate thereto.
2. The operative rights and privileges hereby established may not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.
3. No vehicle may be operated in said service unless said vehicle is owned by the applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

4. IT IS HEREBY ORDERED that applicant shall, within fifteen days from the date hereof, file with the Railroad Commission schedules and tariffs covering said proposed service, which shall be in addition to proposed schedules and tariffs accompanying the application; shall show each point proposed to be served and quote rates to and from each such point; and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be within thirty days from date hereof, unless time to begin operation is extended by formal supplemental order herein.
5. The authority herein contained shall not become effective until and unless the above mentioned schedules and tariffs are filed within the time herein limited.

Dated at San Francisco, California, this 7<sup>th</sup> day  
of October, 1922.

James M. Martin  
Charles H. L. L. L.  
J. F. L. L.

Commissioners.