

McS

Decision No. 11188.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-oOo-

In the Matter of the Application of
A. C. and F. H. FOSS for certificate of
public convenience and necessity to
establish automobile freight service as
a limited carrier of milk and cream
between San Leandro and San Lorenzo,
California, on the one hand, and Oakland
and Berkeley, California, on the other
hand.

)
:
) Application No. 8325
:
)

ORIGINAL

Gwyn H. Baker for Applicants.

BY THE COMMISSION,

O P I N I O N

A. C. and F. H. Foss, co-partners, petition the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of an automobile truck line as a common carrier of milk and cream only between dairy ranches located in the vicinity of San Leandro and San Lorenzo and creameries located at Oakland and Berkeley, California.

A public hearing in the above entitled proceeding was held before Examiner Satterwhite on October 27th, 1922, at San Francisco, at which time the matter was submitted and it is now ready for decision.

Applicants called several witnesses in support of their petition, one a doctor in charge of milk inspection at Oakland, the other an official of a dairy association, both of whom testified as to the necessity for transporting milk and cream by truck to permit of its arrival in first class condition. No one appeared in protest to the granting of the present application, and we are of the

opinion that public necessity requires the service as proposed by applicants herein.

O R D E R

A public hearing having been held in the above entitled application, 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 A. C. and F. H. Ross, co-partners, of an automobile truck line as a carrier of milk and cream only between dairy ranches located in the vicinity of San Leandro, San Lorenzo and creameries located at Oakland and Berkeley, California, and

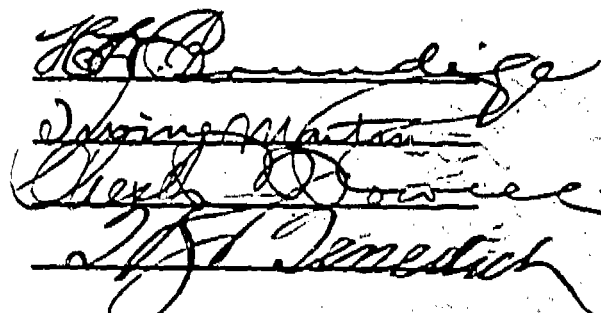
IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and the same hereby is granted, subject to the following conditions:

1. Applicants herein shall file within a period of not to exceed ten (10) days from date hereof acceptance of the certificate herein granted; shall file, in duplicate, within a period of not to exceed twenty (20) days from date hereof tariff of rates and time schedules, such tariff of rates and time schedules to be 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. The rights and privileges herein authorized to be transferred shall 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. No vehicle may be operated by applicants herein unless such vehicle is owned by them or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 31st day of October, 1922.


Commissioners