

Decision No. 11212

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
G. A. LAU, doing business under the firm
name and style of G. A. Lau & Co., for
a certificate of public convenience and
necessity to operate an automobile trans-
portation line for the transportation
of eggs and empty egg cases between Cotati,
Sonoma County, California, and Petaluma.

Application No. 8282.

ORIGINAL

Geo. W. Warfield and W. F. Mooney,
for applicant.
W. J. Cummings for Northwestern
Pacific Railroad.

BY THE COMMISSION.

O P I N I O N

The applicant herein asks for a certificate of public convenience and necessity to operate an automobile line for the transportation of eggs and empty egg cases between Cotati in Sonoma County, and Petaluma. He owns and operates a general store at Cotati and leases a portion of the space therein to the Poultry Producers of Central California for use as a receiving station for eggs. Each Tuesday and Friday the members of the Association residing in the vicinity of Cotati bring their eggs to this receiving station where they are unloaded and later transported to the packing plant of the Association at Petaluma. This service has been performed for the past three years by the applicant without authority from us and under the mistaken belief that for this character of operation no certificate of public convenience and necessity need first be obtained. Shortly after he was advised by us on September 18th that his operations

were in violation of the law this application was filed.

The applicant owns two trucks of 2 and 2½ tons capacity respectively and on the days named will devote his entire time to the handling of eggs between Cotati and Petaluma. The distance between the receiving station at Cotati and the packing plant at Petaluma is about nine miles. As many round trips will be made as are necessary to handle the number of cases tendered for transportation on any given day; empty cases will be brought back to Cotati on the return trips, also grain and other feeds to be later sold in the store of the applicant. The record indicates that a common carrier operating on a regular schedule would find it difficult if not impossible to properly care for this traffic. As soon as a truck load is on hand at the Cotati receiving station the applicant leaves for Petaluma, thus making necessary the use of but a small amount of storage space. Were the eggs handled in any other way the accumulation of cases would make necessary the erection at Cotati of a warehouse. The charges for the service rendered by the applicant are 5½ cents for a full case of eggs and 2 cents for the return of the empty case.

The Northwestern Pacific was represented at the hearing and stated that that line had no objection to the granting of this application.

Public convenience and necessity require the operation of an automobile transportation line by the applicant for handling eggs and egg cases between Cotati and Petaluma on the schedule and at the rates named in the application which is hereby granted.

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 G. A. Lau, doing business under the fictitious
name of G. A. Lau and Company, of an automobile truck line as a
common carrier of eggs and egg cases only between Cotati and
Petaluma, 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. Applicant shall file within a period of not to
exceed ten (10) days from date hereof, his written accept-
ance of the certificate herein granted; shall file within
a period of not to exceed twenty (20) days from date here-
of, tariff of rates and time schedules identical with the
tariff of rates and schedules as shown in 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 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. No vehicle may be operated by applicant herein
unless such vehicle is owned by said applicant or is
leased by said applicant under a contract or agreement on
a basis satisfactory to the Railroad Commission of California.

Dated at San Francisco, California, this 10th day
of November, 1922.

H. A. Brundage

Irving Martin

J. F. Brundage

Commissioners.