

Decision NO. 11213.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
SULLIVAN'S TRANSFER AND STORAGE
for certificate of public convenience
and necessity to operate motor freight
service between Manteca and San Fran-
cisco.

Application No. 8302.

ORIGINAL

J. R. Scott for applicant.
L. N. Bradshaw for Southern Pacific
Co., protestant.
Edward Stern for American Railway
Express, protestant.
W. J. Quinn for The White Lines, and
California Navigation & Im-
provement Co., protestants.
G. F. Albright for Central California
Draymen's Assn.

BY THE COMMISSION.

OPINION

A public hearing was held by Examiner Westover at Manteca upon the above entitled application for authority to operate a motor freight service between Manteca and San Francisco, the proposed tariff applying only to cheese in lots of 5 tons or more, transportation to begin within two hours after order is placed.

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The present carriers operating this territory are Southern Pacific Company, the American Railway Express and the trucks of The White Lines between Manteca and Stockton and boats of California Navigation and Improvement Company between Stockton and San Francisco; the business having heretofore moved via the truck and water route under which the cheese is loaded in Manteca between 3 and 4 p.m. and arrives at the wharf at San Francisco between 6 and 7 a.m. the following morning.

The cheese, before shipment, is wrapped and paraffined and two cheeses weighing 23 pounds each, are packed in a case, the total gross weight being about 50 pounds each. It appears from the testimony that The White Lines in connection with the boat line handled 46 cheese shipments between June 2 and September 21, 1922, one movement on August 25th consisting of 16,171 pounds, all handled with its regular equipment upon usual schedules.

There was some testimony to the effect that some cheeses had been broken in handling and that consignees had received allowances on account of damaged condition, but it appears that no claim nor complaint was ever made to The White Lines; and that the factory would still make small shipments by The White Lines even though the application herein were granted. Five letters from consignees commending the truck and water service were presented in evidence by stipulation. These include all consignees of cheese so handled. Applicant would load the cheese at 8 or 9 p.m., leave at midnight and arrive at destination about 8 a.m.

It appears that the present rail freight rate is 22-1/2¢ the truck and water rate 45¢, the express rate 86¢, and applicant's proposed rate 70¢.

No satisfactory reason appears why this cheese may not be handled by present carriers. Applicant failed to show that public convenience and necessity require the proposed service. The only testimony presented by applicant related to movement of cheese between the cheese factory at Manteca and warehouse in San Francisco, applicant having handled three loads in the 30 days preceding the date of hearing.

O R D E R

A public hearing having been held in the above entitled application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public necessity and convenience do not require the operation by Sullivan's Transfer and Storage of a motor freight truck service between Manteca and San Francisco.

IT IS HEREBY ORDERED that the application be and it is hereby denied.

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

H. B. Sandberg
Irving Martin

J. T. Leland

Commissioners.