

ORIGINAL

Decision No. 5748.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
PENINSULAR DRAYAGE COMPANY for)
certificate of public convenience)
and necessity to operate a freight) Application No. 3937.
service between the City and County)
of San Francisco, City of San Mateo)
and intermediate points.)

J. E. McCurdy for applicant.
Robert H. Fuhrman and John W. Willard for
Gibson's Express, Protestant.

BY THE COMMISSION

O P I N I O N

Joseph F. Goll and Michael J. Burke, co-partners doing business under the fictitious name of Peninsular Drayage Company, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile freight service between the City and County of San Francisco and the City of San Mateo and intermediate points.

Public hearings were held before Examiner Westover on August 5 and 17, 1918, the matter was duly submitted and is now ready for decision.

Applicants propose to charge a flat rate of twenty cents per hundred pounds between all points proposed to be served and to operate on a schedule of two round trips daily, except Sundays and holidays, operating over the State Highway and also via the Bay Shore Route.

The equipment proposed to be used will consist of one

or more two and one-half or five ton capacity motor trucks.

Applicants have received assurance from merchants of San Mateo and Burlingame of adequate patronage and complaints as to unsatisfactory service and long delay by reason of shipments forwarded by railroad will be eliminated. One witness for applicants, a merchant of San Mateo, testified that his shipments amounted to three or four tons daily from San Francisco, and that the establishment of the proposed service would make possible the elimination of a truck now maintained for the sole purpose of hauling shipments from the railroad station at San Mateo to his place of business. Mr. B. W. Wall, Secretary of the Burlingame Merchant's Association, testified that over one hundred merchants were located in San Mateo and Burlingame and that the present railroad and truck service could be much improved and deliveries of consignments greatly facilitated. Applicants have made tentative arrangements for return shipments to San Francisco, one large shipper being the Leslie Salt Company at San Mateo which company has promised its less than car-load shipments to applicants if their service is inaugurated.

The only protestant appearing was Gibson's Express and representatives of that company testified that they were able to supply the needs of the communities proposed to be served. The rates of applicants are, however, somewhat less than those of Gibson's Express, and it would appear that there is a considerable volume of business on the route proposed to be served which is not tendered to Gibson's Express at the rates now charged.

After careful consideration of all the evidence in this proceeding we are of the opinion that the application

should be granted in accordance with the following order.

O R D E R

Joseph F. Coll and Michael J. Burke, co-partners doing business under the fictitious name of Peninsular Drayage Company, having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile truck line as a common carrier of freight between the City of San Francisco and the City of San Mateo and intermediate points, public hearings having been held, the matter having been duly submitted and the Commission being fully advised,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Joseph F. Coll and Michael J. Burke, co-partners doing business under the fictitious name of Peninsular Drayage Company, of an automobile freight service between San Francisco and San Mateo and intermediate points; provided, that this declaration shall not become effective until said Coll and Burke shall have procured from the Railroad Commission a supplemental order herein reciting that said Coll and Burke have filed herein certified copies of permits issued by the governing bodies of all political subdivisions through which the route passes in accordance with the provisions of Section 3 of Chapter 213, Laws of 1917 ; and provided, further, that the rights and privileges herein granted shall not be assigned or transferred unless the written consent of the Railroad Commission to such assignment or transfer shall have first been procured.

IT IS HEREBY ORDERED that no vehicle may be operated under this certificate unless such vehicle is owned by the applicants herein or is leased by such applicants under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 14th day of September, 1918.

Edwin O. Edgerton
H. J. Loveland
W. G. ...

Commissioners.