

ORIGINAL

Decision No. 5749.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PENINSULAR MOTOR TRUCK EXPRESS)
COMPANY for certificate of public)
convenience and necessity to operate)
auto. truck freight and express service) Application No. 3861.
between San Francisco and Gilroy, and)
between Oakland and Gilroy, and way)
points.)

L. A. Blum for Applicant.

BY THE COMMISSION

O P I N I O N

Joseph V. DeRyana, doing business under the fictitious name of Peninsular Motor Truck Express Company has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile freight and express service between San Francisco and Gilroy and between Oakland and Gilroy and intermediate points.

Public hearings were held by Examiner Westover at San Francisco on July 6 and 13, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked exhibit "A" and filed with the application in this proceeding and to operate on a schedule of one round trip daily between San Francisco and Gilroy and between Oakland and Gilroy.

The equipment proposed to be used consists of four Packard trucks, each of five tons capacity, together with such trailers as may be necessary to properly handle the traffic

offering. The equipment has not yet been procured pending decision on the application herein.

Applicant testified as to the result of a personal canvass of the traffic possibilities along the proposed routes and as to the desire of merchants and shippers interviewed for the establishment of the proposed service. It appears that applicant intends to specialize in the transportation of farm and ranch products to the city distributing markets and to haul on return trips such commodities as may offer for country points.

At the hearings on this application there was no protest against the granting of the desired certificate.

After consideration of the evidence in this proceeding, we are of the opinion that the application should be granted in accordance with the conditions contained in the following order.

O R D E R

Joseph V. DeRyana, doing business under the fictitious name of Peninsular Motor Truck Express Company, having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile freight and express service between San Francisco and Gilroy and between Oakland and Gilroy, 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 Joseph V. DeRyana, doing

business under the fictitious name of Peninsular Motor Truck Express Company, to operate an automobile freight and express service between San Francisco and Gilroy, and between Oakland and Gilroy, and intermediate points; provided, however, that this declaration shall not become effective until said DeRyana shall have procured from the Railroad Commission a supplemental order herein reciting that said DeRyana has filed herein certified copies of permits issued by the governing bodies of all political subdivisions through which the above-mentioned routes pass, in accordance with the provisions of Section 3 of Chapter 213, Laws of 1917; and provided, further, that the rights and privileges herein granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such assignment or transfer shall have first been secured.

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

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

Elwin C. Edgerton
H. H. ...
...

Commissioners.