

ORIGINAL

Decision No. 6042.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
S. B. McLenegan & Son for certificate)
of public convenience and necessity)
to operate freight and express service)
between San Francisco and San Jose.)
.....)

Application No. 3925.

Robinson
W. H. Robertson for Applicant.

119m

BY THE COMMISSION

O P I N I O N

S. B. McLenegan and C. S. McLenegan, partners in business operating under the name of S. B. McLenegan & Son, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile freight and express service between San Francisco and San Jose and intermediate points.

A public hearing was held by Examiner Handford on August 26, 1918, the matter was duly submitted and is now ready for decision.

Applicants propose to charge rates in accordance with a schedule marked Exhibit "A" and filed with the application in this proceeding and to operate one round trip daily between San Francisco and San Jose with such extra service as the requirements of traffic may render necessary.

The equipment proposed to be used consists of trucks of two and one half tons capacity with approximately a rating of forty horse power. For pick up and delivery service at

termini, it is proposed to use light delivery trucks of approximately one ton capacity. The equipment not as yet having been secured, the data as to license numbers and engine rating is not known at this time.

Applicants have made a traffic investigation and have found many merchants who complain as to the character of service rendered by the Southern Pacific Company regarding delay in delivery of consignments forwarded from San Francisco to San Jose and intermediate points. The rates proposed are consistently lower than those charged by the railroad and a large list of prospective patrons, who have agreed to patronize the line, was furnished as an exhibit at the hearing on this proceeding.

Applicants propose to establish offices and warehouses at the termini at San Francisco and San Jose and agencies at Sunnyvale and Palo Alto.

Applicants have secured local permits in accordance with the provisions of Section 3 of Chapter 213, Laws of 1917, from the Board of Supervisors of the City and County of San Francisco; the Boards of Supervisors of the Counties of Santa Clara and San Mateo; the Boards of Trustees of the Towns of Mayfield, Redwood City, Mountain View, San Bruno, Santa Clara and Sunnyvale; the Cities of San Mateo, Burlingame and South San Francisco; the Councils of the Cities of Palo Alto and San Jose as evidenced by certified copies filed in this proceeding.

At the hearing on this application no protests against the granting of same were received and we are of the opinion and find as a fact that public convenience and necessity require the operation by S. B. McLenegan and C. S. McLenegan, partners in

business operating under the name of S. B. McLeneggen & Son, of an automobile truck line as a common carrier of freight and express between San Francisco and San Jose and intermediate points.

O R D E R

S. B. McLenegro and C. S. McLenegro, partners in business operating under the name of S. B. McLeneggen & Son, having petitioned the Railroad Commission for a certificate of public convenience and necessity to operate an automobile truck line as a common carrier of freight and express between San Francisco and San Jose, a public hearing having been held, the matter having been duly submitted, and the Commission being fully advised and basing its order on the finding of fact which appears in the opinion which precedes this order.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by S. B. McLenegro and C. S. McLenegro, partners in business operating under the name of S. B. McLeneggen & Son, of an automobile truck line as a common carrier of express and freight between San Francisco and San Jose and intermediate points; provided, however, that the rights and privileges herein granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has 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 30th day of
December, 1918.

Edwin O. Edgerton
Howard
Lee Gordon
Frank P. Holby

Commissioners.