

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the Matter of the Application
of PHILIP F. SPINELLI for certi-
ficate of public convenience and
necessity to operate stage service
or truck service between San Jose,
Market and San Fernando Streets and
the County Infirmary.

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) Application No. 3389.
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F. E. Chapin for San Jose Railroads
S. F. Leib for Protestant, Peninsular
Railway Company.

BY THE COMMISSION.

O P I N I O N

This is an application of Philip F. Spinelli for
a certificate of this Commission that public convenience and
necessity require the establishment of service for the trans-
portation of passengers and express packages between San Jose,
Market and San Fernando Streets and the County Infirmary and
intermediate points.

The application discloses that applicant desires to
put in a five cent fare between the points above mentioned
and service half hourly.

The equipment with which applicant proposes to meet
public convenience on this line is one Maxwell 1917 touring,
five passenger, 22 H. P. automobile.

This application was originally set down for hearing at
San Jose on October 16, 1918 at 2 P. M. before Examiner Excell
and due notice thereof was given applicant and protestants.
At the hearing neither applicant nor any person interested in be-
half of applicant appeared to justify the application. Testimony
was taken on behalf of the protestant, San Jose Railroads.

Consideration of the facts indicate that public convenience and necessity which applicant seeks to satisfy by one automobile is already served; that the public at present is receiving a service of which the installation of the proposed service would be practically a duplication and that applicant is insufficiently interested in the granting or denial of his application to be present or represented by counsel at a hearing set at San Jose for his convenience, requires that the within application be denied.

O R D E R

PHILIP F. SPINELLI having made application to the Railroad Commission for a certificate that public convenience and necessity require the operation by him of an automobile service for the transportation of passengers and express packages between San Jose, Market and San Fernando Streets and the County Infirmary and intermediate points, a public hearing having been held upon said application, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by applicant of an auto stage service between San Jose, Market and San Fernando Streets and the County Infirmary, and

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

Dated at San Francisco, California, this 6th day of January, 1919.

Edwin A. Edgerly
W. H. Edwards
Frank K. Doherty
Henry Martin
Commissioners