

ORIGINAL

Decision No. 6064.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
I. C. YOUNG for certificate of public
convenience and necessity to operate a
motor truck or an auto truck freight,
baggage and express service between the
City of Oakland and the Town of Irving-
ton, and intermediate points, all in
the County of Alameda, State of Calif-
ornia.
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Application No. 4289.

John J. McDonald for Applicant.

W. M. Rank for De Luxe Transportation Company,
Protestant.

BY THE COMMISSION

O P I N I O N

I. C. Young has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck line as a common carrier of freight, baggage and express between Oakland and Irvington and intermediate points.

A public hearing was held at Oakland before Examiner Handford on January 10, 1919, 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 two round trips, daily except Sunday, using as equipment one Winther Truck, 26 H. P., with capacity of three tons.

Additional equipment is to be provided if the necessities of traffic demand same.

Applicant proposes to furnish free pick-up and delivery service in the City of Oakland within the following territory:

From Twenty-sixth Street to the water front; on the westerly boundary to Wood Street, on the northeast to Eighteenth Street, and on the east to the Foothill Boulevard.

A pick-up and delivery service will also be offered prospective patrons who may be located at a distance not greater than one-quarter mile from the highway on the proposed route.

Applicant is at present engaged in the hauling of milk and dairy products between Irvington and Oakland and desires to enter the business of a common carrier between Irvington and Oakland and intermediate points.

The granting of this application is protested by the De Luxe Transportation Company which holds a certificate from this Commission covering the territory between San Jose and Oakland for the transportation of freight, express and baggage, although operation under said certificate has not yet been commenced. The objection of protestant, De Luxe Transportation Company, runs to service as proposed to be given by applicant to the communities at Niles and Irvington, and at the hearing on this proceeding, applicant agreed to eliminate such communities from the territory proposed to be served.

Applicant has secured permits from the Board of Supervisors of Alameda County, from the Boards of Trustees of the Town of Hayward and the City of San Leandro, and from the City Council of the City of Oakland, as required by the provisions of Section

3 of Chapter 213, Laws of 1917, as evidenced by certified copies thereof attached to the application in this proceeding.

We are of the opinion that this application should be granted as amended, in that the proposed route will satisfactorily serve a territory where a demand for motor truck service exists and which will relieve cause of complaint as to inadequate service rendered by the railroad lines which reach this territory.

B R D E R

I. C. Young having petitioned the Railroad Commission for an order declaring that public convenience and necessity requires the operation by him of an automobile truck line as a common carrier of freight, express and baggage between Oakland and Irvington and intermediate points, a public hearing 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 I. C. Young of an automobile truck service as a common carrier of freight, baggage and express between Oakland and Newark and intermediate points (including San Leandro, Hayward, Centerville, Alvarado, Decoto, San Lorenzo and Mt. Eden); provided, however, that the rights and privileges hereby granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has 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 15th day of January, 1919.

Edwin O. Edgerton

H. S. Loveland

Frank R. Kelsey

H. C. Brundage

Commissioners.