

ORIGINAL

Decision No. 7526

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application)	
of H. O. Crymble for a certificate)	
of public convenience and necessity)	APPLICATION NO.5491
to operate a freight automobile ser-)	
vice between San Jose and Los Gatos.)	

H. O. Crymble in propria persona.
 H. E. Gogarty for Southern Pacific Co. and
 Peninsula Ry. Co.
 E. G. Shoup, for Peninsula Ry. Co.

By the Commission -

O P I N I O N

H. O. Crymble by this application asks the Railroad Commission to make its order declaring that public convenience and necessity require the operation by him of an automobile freight service as a common carrier between San Jose and Los Gatos.

A public hearing was held at San Jose on April 26th before Examiner Geary, the matter was duly submitted and is now ready for decision.

The applicant appeared in his own behalf and testified to the effect that some time ago he was carrying mail under contract and that when the mail contract expired, engaged in hauling freight which service was commenced about eighteen months ago. The route covers territory between Saratoga, Los Gatos and Campbell. The business handled is small in volume, the total revenue being between \$175 and \$200 per month.

The application was opposed by the Peninsula Railway Company but the testimony of that company showed that at the important points, Saratoga, Los Gatos and Campbell, practically

no less than carload freight was being shipped by the railroad. This was also the situation as to the less than carload freight handled between San Jose and Los Gatos by the Southern Pacific Company. The interests of the rail carriers therefore could not be affected either way by the activities of this applicant for the reason that the records clearly show that automobiles are handling the package freight between the short distance points. There is now no authorized freight truck line between the points to be served by this applicant, and the service being rendered is no doubt a great convenience to the public.

After giving careful consideration to all the facts, we are of the opinion that the application should be granted.

O R D E R

H. O. Crymble having filed a petition asking that the Railroad Commission make its order declaring that public convenience and necessity require the operation by petitioner of an automobile freight service between San Jose and Los Gatos and a public hearing having been held and the matter having been duly submitted and being now ready for a decision,

IT IS HEREBY DECLARED, that public convenience and necessity require the establishment of an automobile freight service between San Jose and Los Gatos and that a certificate of public convenience and necessity should be issued and the same hereby is issued, subject to the following conditions:

1- That the applicant, H. O. Crymble, will file with the Railroad Commission a written acceptance of this certificate within twenty (20) days from the date of service hereof and that operation of such service will commence within ninety (90) days from the date of service hereof.

2- That the applicant, H. O. Crymble, will be required to immediately file a tariff of rates, rules and regulations and a time schedule in accordance with provisions of General Order No.51 and other regulations of the Railroad Commission.

3- That the rights and privileges hereby authorized may not again be leased, transferred nor assigned unless the written consent of the Railroad Commission to such lease, transfer or assignment has first been secured.

4- That no vehicle may be operated by the applicant, H. O. Crymble, unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 3^d day
of May, 1920.

Edwin O. Edwards
A. D. Loveland
STEWART W. W. W.
H. O. Brundage
COMMISSIONERS.