

ORIGINAL

Decision No. 7532

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)	
M. G. FILIPPONI for certificate of)	
Public Convenience and Necessity to)	
operate auto truck service between)	Application No. 4695
Cambria and San Luis Obispo and)	
Cambria and San Simeon, County of)	
San Luis Obispo, California.)	

Albert Nelson, for Applicant.

S. V. Knight, for Coast Truck Company
(by Minetta and Vella), Protestants.

BY THE COMMISSION.

O P I N I O N

M. G. Filipponi applies for authority to operate an automobile truck line as a common carrier of freight between San Luis Obispo and Cambria via Cayucos, and also to operate service between Cambria and San Simeon.

A public hearing upon the application was held by Examiner Westover at San Luis Obispo.

Applicant's schedule provides for one round trip between San Luis Obispo and Cambria on Tuesdays, Thursdays and Saturdays with service between Cambria and the wharf at San Simeon only on days when steamers land to receive or discharge freight.

His equipment described in the application consists

of one 2-ton White truck.

Applicant was formerly engaged in the general merchandise business at Cambria and began to operate a Ford truck as an incident of his merchandise business in October 1918. In 1919 he began to haul for others in Cambria at their request and continued to do so up to the time of the hearing.

The Coast Truck Company protests the granting of authority requested upon the ground that it established its automobile freight truck line between San Luis Obispo and Cambria about eight years ago, is giving adequate service and has acquired one 3-ton Packard truck, one 1-ton Packard truck, one 2-ton G. M. C. truck and one 1½-ton G. M. C. truck. It appears, however, that two and sometimes three of these trucks were used in hauling chrome from the mines near Morro during the war. It operated daily one round trip between San Luis Obispo and Cambria for seven months of last year and during the rest of the year it claims to have made its trip to Cambria on an average of three times a week. Many of these trips, however, were not made by the carrier itself after the green season ended in the spring, but when there was but a small amount of goods to be transported between Cayucos (which is the home of the owners) and Cambria the goods were forwarded on the mail stage. This method of operation has continued for the past two years or more.

The testimony at the hearing showed the existence of considerable dissatisfaction of the service, some of the witnesses complaining that goods would lie over at Cayucos from three to six days instead of going forward the same day on the regular schedule which provides for leaving San Luis Obispo at 6:30 A.M. and arriving ^{at} Cayucos at 9:00 A.M., leaving Cayucos at 12:40 A. M. and arriving at Cambria at 2:00 P. M. It also ap-

pears that the present carrier has no office, depot or headquarters at Cambria, and goods shipped to ranchers in the vicinity are delivered at various places in Cambria.

Freight moving in the territory in question consists of cream, dairy products, livestock, beans, grain, hay fruit and eggs from Cayucos and Cambria, and general merchandise, agricultural implements, machinery supplies and seed from San Luis Obispo.

Applicant estimates the freight moving out of Cambria in 1919 as 409 calves, 375 hogs, 4030 sacks beans and 715 sacks of grain, and that 1000 tons a year is available for hauling by common carrier trucks; and that he hauled 830 tons last year both ways. Mr. Minetta, one of the owners of Coast Truck Company line testified that his line hauled 6,000 tons both ways last year.

Applicant's schedule provides for no stops or service at Cayucos or Morro. Under all the circumstances the application should be granted/~~except as~~ ^{except as} to through business between San Luis Obispo and points beyond Cayucos.

I herewith submit the following form of order:

O R D E R

M. G. Filipponi having applied to the Railroad Commission for authority to establish the automobile truck service hereinafter described, a public hearing having been held upon such application, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by M. G. Filipponi of an automobile truck line as a common carrier of

freight between San Luis Obispo, Cambria, San Simeon and intermediate points northwesterly of Cayucos, but that it does not require such operation between Cayucos, San Luis Obispo and intermediate points.

PROVIDED, 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 procured.

IT IS HEREBY FURTHER ORDERED that no vehicle may be operated in any of said service unless said vehicle is owned by the applicant operating the line in which it is used, or unless it is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that said applicant, M. G. Filipponi, shall within twenty days from the date hereof file with the Railroad Commission, schedule and tariffs covering said proposed service, which shall be in addition to proposed schedule and tariff accompanying the application, and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be within 90 days from the date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein granted shall not become effective until and unless the above conditions are complied with.

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

Edwin O. Egan
N. D. L. L. L.
W. H. L. L. L.
H. B. L. L. L.

Commissioners.