

ORIGINAL

Decision No. 7942

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of )  
B. A. Gurnette for a Certificate of )  
Public Convenience and Necessity to )  
operate automobile truck service for )  
the carrying of moving picture films )  
as a transportation company between )  
San Francisco and San Jose and cer- )  
tain intermediate points. )

APPLICATION NO. 5554.

Harry I. Encoll, for Applicant.

J.R. Allen, for American Railway Express Company, Protestant.

BY THE COMMISSION:

O P I N I O N

B. A. Gurnette having made application petitioning the Railroad Commission for certificate of public convenience and necessity to operate automotive transportation service for the carrying of motion picture films between San Francisco and San Jose and certain intermediate points, a hearing was held before Examiner Geary on Friday, June 11, 1920 at 10:30 a.m. and the matter is now ready for an opinion and order.

It is the purpose of the applicant to establish a special service for the transportation of moving picture films only between Film Exchanges and Moving Picture theatres en route between San Francisco and San Jose. Representatives of the Film Exchanges testified that the service would be of material benefit to them.

but did not indicate that the present service is inadequate.

It was evidenced that the Moving Picture theatre proprietors pay the freight and the protestant, American Railway Express Company, filed with the Commission, as Exhibit No.4, fifteen letters from Moving Picture theatres and other users of moving picture films to the effect that the present service of the Express Company is entirely adequate and satisfactory.

Protestant, American Railway Express Company, also filed, as its Exhibit No.1, train schedules showing its service. It was therefore determined that no showing of public convenience and necessity was made by the applicant, and it is our opinion that the application should be denied.

O R D E R

IT IS HEREBY ORDERED that the application of B.A. Garnette should be and the same is hereby denied, for the reason that no showing was made by the applicant that public convenience and necessity require the operation of the service proposed.

Dated at San Francisco, California, <sup>August</sup> ~~July~~ 2<sup>d</sup>, 1920/

Edwin O. Edgerton  
T. B. ...  
Grant ...  
Commissioners.