

Decision No. 8235

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of Melvin D. Savage for a certif-)
icate of public convenience and)
necessity to operate an automobile)
freight and express service, as a)
contract carrier, between San)
Francisco and Tracy, California.)

APPLICATION NO. 6140.

BY THE COMMISSION:

O R D E R

Melvin D. Savage has made application to the Railroad Commission petitioning for certificate of public convenience and necessity to operate an automotive freight and express service as a contract carrier to transport milk and cream between San Francisco and Tracy, the contract being with the Neglee Burk Dairymen's Association, the consignee being Associated Milk Producers, located at 53 Clay Street, San Francisco. The contract provides that the applicant will charge 38 cents per 10-gallon can, with free return of the empty carrier.

The Commission is of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted.

IT IS HEREBY ORDERED that public convenience and necessity requiring Melvin D. Savage to haul milk and cream for the Neglee Burk Dairymen's Association from Tracy, California, to the Associated

Producers, 53 Clay Street, San Francisco, California, and to return the empty cans from San Francisco to Tracy, the charge for which will be on the basis of 58 cents per can, round trip, a certificate of public convenience and necessity be and the same is hereby issued, subject to the following conditions:

1st- That the applicant, Melvin D. Savage, will, within twenty (20) days from the date hereof, file with the Railroad Commission, in writing, his acceptance of this order, and will also file with this Commission a copy of the contract entered into by himself and the contractor, and applicant, Savage, will be required to commence operation of this service within thirty (30) days from the date hereof, and if he fails in any of these requirements his certificate is null and void.

2nd- That the applicant, Melvin D. Savage, will confine his operations strictly to the service referred to in this order.

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

4th- That no vehicle may be operated by the applicant, Melvin D. Savage, unless such vehicle is owned by him or is leased by him for a specified amount on a trip or term basis, the leasing of equipment not to include the services of a driver or operator.

All employment of drivers or operators of leased cars shall be made on the basis of a contract by which the driver or operator shall bear the relation of an employee to the transportation company by whom such driver or operator is engaged.

Dated at San Francisco, California, this 11th day of October, 1920.

Edwin O. Edgerton

H. H. Loveland

H. H. Brundage

Dwight Martin
Commissioners.