Decision No. <u>8969</u>



BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of UNION TRANSFER & STORAGE COMPANY for certificate of public convenience and necessity to operate express and freight service between SANTA MONICA, VENICE AND LOS ANGELES.

) Application No. 6517

Weber & English, by E. L. English, for applicant G. F. Squires for Pacific Electric Railway T. A. Woods for American Railway Express C. H. Tribits, Jr. for Motor Service Express Rice Auto Delivery and H. H. Webb Company.

BY THE COMMISSION,

<u>O P I N I O N</u>

Mark W. Zerboni and Joseph L. Zerboni, under the fictitious name of Union Transfer and Storage Company, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile truck service as a common carrier of express and freight between Santa Monica, Venice end Los Angeles.

A public hearing on this application was conducted before Examiner Satterwhite at Sante Monica on March 23, 1921, the matter was duly submitted and is now ready for decision.

Applicants propose to charge rates in accordance with an amended schedule marked Exhibit "A" attached to said application and to operate on a time schedule marked Exhibit "B" attached to said application, using as equipment certain Ford trucks as shown in Exhibit "C".

1.

Pacific Electric Railway, the American Railway Express, Motor Service Express, Rice Auto Delivery and H. H. Webb, appeared in opposition to the granting of the application.

Applicants are now under the authority, of this Commission operating an express and baggage service between the cities named and desire the authority herein sought to extend their present operative rights to the transportation of freight.

Joseph Zerboni, one of the applicants and several merchants at Santa Monica and Venice testified in support of the application. The testimony shows that the applicants have heretofore operated an adequate and satisfactory express and baggage business and have been patronized by a large number of merchants and business men at Santa Monica and Venice and intermediate points. It appears that many of the patrons of applicants often desire to make freight shipments and have been compelled to ship such freight as express over applicants' line or patronize some other common carrier and this has been unsatisfactory and works an inconvenience to many of these merchants.

Applicants testified to the effect that there are daily domands upon thom by many of their patrons to carry both express and freight shipmonts and this extension of authority is sought to keep within their operative rights.

All of the protestants introduced testimony as to their schedules and rates offered the public and as to their respective equipment and service available. Several morehants and patrons of some of protestants' lines testified to their satisfactory service. It appears by the testimony of the various patrons of the respective motor truck lines that they are all doing a good volume of business and that the Santa Monica District is a fast growing and thriving business section on account of the many populous beach resorts.

2.

G. R. Cleveland, the owner of the Rice Auto Delivery testified to the effect that he is operating four large and three small trucks which are running to capacity and that the business of this company has doubled within the last six months.

<u>order</u>

A public hearing having been held on the above application, the matter being submitted and now ready for decision,

THE RAILROAD COLMISSION HEREBY DECLARES that public convenience and necessity require the operation by Mark W. Zerboni and Joseph L. Zerboni, under the fictitious name of Union Transfer and Storage Company, of an automobile truck service as a common carrier of express and freight between Santa Monica, Venice and Los Angeles,

Provided, however, that the operative rights and privileges hereby established may not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

IT IS HEREBY ORDERED that no vehicle may be operated in said service unless said vehicle is owned by the applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

> Dated at San Francisco, California, this 1245 day of May, 1921.

nd.a commissioner