

Decision No. 9223

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of William E. Bledsoe for Certif-)
icate of Public Convenience and)
Necessity to operate a freight)
truck service between Alviso and)
Hollister, as an extension of and)
in connection with a certificate)
now held by him permitting him to)
operate such truck service between)
San Jose and Hollister.)

APPLICATION NO. 6201.

G. E. Moore, for Applicant.
L. W. Bradshaw, for Southern Pacific Company, Protestant,
J. E. McCurdy, for Highway Transport Company, Protestant,
Archer Bowden, for Service Motor Transportation Company,
Protestant.

BY THE COMMISSION:

ORDER

William E. Bledsoe by this petition seeks an order from the Railroad Commission declaring that public convenience and necessity require the operation by him of an automobile truck freight service between Alviso and Hollister.

The applicant now holds a certificate as a common carrier to operate between San Jose and Hollister; this petition is for authority to extend the service from San Jose to Alviso and thereby create a through route between Alviso and Hollister via San Jose. A public hearing on the application was conducted

before Examiner Geary at San Jose; the matter was duly submitted and is now ready for decision.

The granting of the certificate was protested by the Southern Pacific Company, the Service Motor Transportation Company, the E. V. Rideout Company and the Highway Transport Company.

The testimony of applicant was to the effect that if granted this certificate, tonnage to Hollister would be moved via the boats of the Santa Clara Valley Steamship Company to Alviso and connection made at that point direct to Hollister, claiming it would reach its destination more quickly than if moved via the Southern Pacific Company. It was stipulated that no local freight would be handled between Alviso and San Jose, the intended purpose being to move through traffic between San Francisco-Alviso and the Hollister district. Testimony was given, and a petition signed by a number of merchants located at Hollister presented advocating the granting of the application.

The Southern Pacific Company introduced exhibits showing the volume of freight tonnage carried over its rails between Hollister and San Francisco, the rates in effect via the railroad and those which would be charged for the boat and automotive service from San Francisco to Hollister via Alviso, the rates assessed by the rail carrier in every instance being lower than those proposed via the boat and auto truck through Alviso.

The Service Motor Transportation Company appeared in opposition to the granting of the certificate upon the grounds that it was operating a through service from San Jose to points north and south and that it had before the Commission its Application No. 6193 for authority to cover not only the service between Alviso and San Jose, but between Alviso-Milpitas and Jagers-San Jose.

Under date May 6, 1921 this application of the Service Motor Transportation Company was dismissed by reason of the fact that the contemplated boat service between San Francisco and Alviso had not materialized and, therefore, the motor truck service to Alviso and Jagsels could not be established and operated at a profit.

The opposition of the E. V. Rideout Company and the Highway Transport Company was based upon the fact that the Highway Transport Company was operating between San Jose and Alviso under an agreement with the Rideout Company and that it had before the Commission an application to purchase the operative rights of the Rideout Company, the certificate for this route having originally been granted to the Bay Cities Transportation Company under application No. 5453. Neither the Bay Cities Transportation Company nor the E. V. Rideout Company having complied with the provisions of this Commission's order in Decision No. 7486, Application No. 5453, issued April 26, 1920, the certificate was revoked by this Commission.

Since submission of this proceeding the Commission, as stated above, has dismissed the applications of both the Service Motor Transportation Company and the Highway Transport Company who desired to establish service in connection with the boat line in opposition to the applicant in the instant proceeding. The Commission has also been advised that the boat service between San Francisco and Alviso was not a financial success and that it has been discontinued.

Taking into consideration all of the circumstances developed by the testimony and the exhibits, the Commission is of the opinion that there now exists no necessity for the operation

of an automotive common carrier freight service between San Jose and Alviso as proposed by this applicant and that the application should be dismissed without prejudice to the filing of a new application at a later date, when a regular boat service has been established between San Francisco and Alviso.

The Railroad Commission hereby declares that public convenience and necessity do not require the operation of a motor truck freight line as a common carrier between San Jose and Alviso in connection with the service now being rendered by William E. Bledsoe between San Jose and Hollister and that the application should be denied.

IT IS HEREBY ORDERED that the application of William E. Bledsoe for authority to operate a motor truck freight service between San Jose and Alviso in connection with the service now being rendered by him between San Jose and Hollister be and the same is hereby denied.

Dated at San Francisco, California, this 12th day of July, 1921.

H. B. ...
H. D. ...
Darius M. ...

Commissioners.