

Decision No. 9475

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of  
B. S. GREENE and F. R. GREENE, as co-  
partners, doing business under the firm  
name of Greene and Greene for certificate  
of public convenience and necessity to  
operate freight and express service  
between San Francisco and San Pedro,  
California.

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:  
) Application No. 6483  
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)

Joseph J. Bullock for Applicant.  
H. A. Loveland for Coast Side  
Transportation Co. and Red Star  
Stage Line, Protestants.

BY THE COMMISSION.

O P I N I O N

In this proceeding B. S. Greene and F. R. Greene, co-partners doing business under the firm name of Greene and Greene have made application to the Railroad Commission for a certificate of public convenience and necessity authorizing the operation of an automobile truck line for the transportation of freight and express between San Francisco and Salada and San Pedro, California.

A hearing was held on September 1st, 1921, at San Francisco before Examiner Satterwhite at which time the matter was submitted and it is now ready for decision.

At the hearing applicants asked for and were granted permission to amend their application to exclude express service stating that they merely desired to engage in the transportation of farm products from the San Pedro Valley and Salada to Colma and San Francisco and on the return trip from San Francisco to haul only such supplies as farmers in the above named districts desire.

The granting of this application was protested by the Coast Side Transportation Company and the Red Star Stage Line, both of which companies operate a passenger and freight service by automobile between San Francisco and the points proposed to be served by applicants Greene and Greene. B. S. Greene, one of the applicants herein, testified in his own behalf stating that through ignorance of the law he had engaged in the transportation of farm products from the San Pedro Valley and Salada to Colma and San Francisco, but that as soon as he was aware that a certificate was necessary he filed an application for permission to continue the service which he had heretofore engaged in. His testimony was to the effect that there are some fourteen ranchers in the San Pedro Valley and Salada engaged principally in growing artichokes, cauliflower, sprouts, potatoes, garlic, peas, hay and grain and that such farmers have been depending and are depending upon the service which he has been rendering for the transportation of their products to Colma and San Francisco.

During the shipping season applicants operate two  $2\frac{1}{2}$ -ton Mack trucks carrying farm products to Colma where they are loaded on freight cars for eastern points, the balance being transported to San Francisco for local consumption. Witnesses testifying in behalf of applicants stated that the service heretofore rendered by applicants herein had been perfectly satisfactory, that during the rush season they have operated their trucks continuously day and night, that the night operation is particularly essential in that the above named commodities when cut must be shipped during the early morning hours to Colma so as to be loaded into freight cars in a cool and fresh condition, otherwise considerable deterioration in value would take place.

J.W.Gray, owner of protestant Coast Side Transportation Company testified in effect that his company was operating one  $2\frac{1}{2}$ -ton truck and one 1-ton truck between San Francisco and Pescadero, serving as intermediate points Pedro and Salada, but admitted that he had never solicited the farmers at Pedro and Salada for the business which applicant pro-

poses to handle nor had he ever attempted to haul farm products in large quantities from Pedro and Salada to Colma and San Francisco. Portestant Red Star Stage Line submitted no testimony whatsoever as to the service which they are rendering between the above named points.

Applicants herein propose to charge rates as listed in Exhibit "A" attached to their application, such rates ranging from ten cents per box of 40 pounds for artichokes to thirty-five cents per crate of 190 pounds for cauliflower and to charge a rate of \$4.00 per ton on hay and grain, San Pedro to Colma and San Francisco. For supplies San Francisco to Salada they propose to charge 15 cents per hundred pounds or \$3.00 per ton in ton lots and San Francisco to Pedro 17½ cents per hundred pounds or \$3.50 per ton in ton lots. These rates are materially lower than the rates at present in effect over the route of the Red Star Stage Company or the Coast Side Transportation Company.

It appears from the evidence in this proceeding that applicants herein, with no intent to violate the law, have been rendering a particular service to the farmers in the Salada and Pedro districts which the two existing carriers have not attempted to meet and it is our opinion that applicants herein should be granted a certificate of public convenience and necessity, limited, however, to that particular service which they have heretofore been rendering.

#### O R D E R

A hearing having been held upon the above entitled proceeding, evidence submitted and the Commission being fully advised,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the establishment by B. S. Greene and F. R. Greene, co-partners doing business under the firm name of Greene and Greene, of an automobile truck line as a common carrier of freight between San Francisco, Colma and Salada and Pedro and a certificate of public convenience and necessity be, and the same hereby is granted subject to the following conditions:

1. That the operation of applicants under this certificate shall be confined solely to the transportation of farm products from ranches located in the vicinity of and north of Pedro to Colma and San Francisco, and on the return haul to supplies and farm equipment consigned to the ranches located in the same territory.

2. That applicants shall file with the Railroad Commission a written acceptance of this certificate within ten (10) days from date hereof and shall file within twenty (20) days from date hereof tariff of rates and time schedules in accordance with the provisions of General Order No. 51 and other regulations of the Railroad Commission and shall begin operation within not less than twenty (20) days from date hereof. In all other respects the effective date of this order shall be twenty (20) days from date hereof.

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

4. That no vehicle may be operated by the applicants Greene and Greene, unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 7<sup>th</sup> day  
of September, 1921.

H. B. Burdick  
H. D. Howard  
Charles H. Prince  
J. J. Mendes  
Commissioners