



area producing and shipping to the brokers of Oakland and San Francisco huge seasonal tonnages, reaching their peak in the summer months and descending to a negligible volume in midwinter. Public convenience and necessity exists for a certificated truck service, specialistic in character and exemplified by the existing Antonini service.

The question again presented is: Is the existing Antonini service adequate and satisfactory? The evidence disclosed at the hearing affords definitely an affirmative answer. Hence, this application must be denied.

At the hearing, applicant John P. French called eight witnesses and excepting for two, each of whom specified a single groundless incident of complaint against the Antonini service, the testimony uniformly showed that the existing service is entirely satisfactory and adequate, that the produce moves on time, that the equipment is always available and adequate; and, illustrative of the service rendered, out of 225,000 packages handled by Antonini, two were dropped through the carrier's negligence, for which the shipper received reimbursement to the full value of the produce contained therein. Applicant, in support of his contention, has relied principally upon this argument: The Antonini service is now receiving but an approximate 45 per cent of the produce involved in this application. The uncertificated carriers transport the remaining approximate 55 per cent. Therefore, as a means of eliminating the evil presented by these uncertificated carriers, this Commission should certificate applicant and conceivably as many others as may be necessary to surfeit the field. This reasoning is only specious. Uncertificated and wildcat carriers have existed and their evil influence suffered in spite of howsoever many certificated carriers have entered and developed the field of transportation. Moreover, it does not follow that the operation of applicant herein, should a certificate

be granted to him, would be confined to the 55 percentage of patronage now going to the existing uncertificated carriers. We have not before us the devious reasons or justifications behind these uncertificated operations and their respective patronage. Suffice it to say that this huge tonnage is at the present time going to them in preference to an existing certificated carrier who renders a satisfactory and comparable service. It is more than likely that the granting of the proposed service would take more from the Antonini patronage than from the other.

It therefore appearing that the Antonini service is satisfactory and adequate, the application must be denied.

O R D E R

Stockton Farmers Trucking Company, a copartnership composed of John P. French and D. P. French, having made application for a certificate of public convenience and necessity to establish transportation of property by auto truck between Stockton and Oakland and San Francisco, a public hearing having been held and the matter having been duly submitted for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity do not require the establishment of the service proposed, and

IT IS HEREBY ORDERED that the application be, and it hereby is, denied.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission.

Dated at San Francisco, California, this 17<sup>th</sup> day of

July, 1934.

Ed Sawyer  
Leon A. White

Walter H. ...  
Commissioners.