

of automotive equipment. This business is conducted in San Francisco and Oakland. The certificate heretofore granted, as ancillary to such business, authorized both a transportation and forwarding service (a) between San Francisco and Oakland and San Jose, serving certain intermediate points, and (b) a loop service with San Francisco and Oakland as a starting and terminating point and touching in its course Stockton and Sacramento and certain intermediate points. The applicant here seeks a certificate to conduct, as ancillary to its shopping and purchasing business, a forwarding service from San Francisco and Oakland to Auburn, Carmel, Chico, Corning, Fresno, Gilroy, Marysville, Merced, Modesto, Monterey, Pittsburg, Red Bluff, Roseville, Salinas, Santa Cruz, Ukiah, Visalia and Watsonville.

A public hearing on the application was had on June 23rd.

The articles which the applicant proposes to handle as a forwarder are the identical articles listed in its present tariff. While articles of general use are named, the application, the proposed tariff and the evidence impart as a qualification that they be for use in the automotive industry. It here neither seeks nor proposes any transportation service and stipulated that it would not in the future seek to establish such a service to the points specified. Articles ordered by its clients will be collected at San Francisco and Oakland and forwarded by United States Parcel Post or by some lawful common carrier service to destination. As a matter of fact, the applicant is now performing this service under contractual arrangements for the benefit of automotive parts houses at the various points mentioned. It now desires to dedicate the service to the public and to serve other automotive parts houses, garages and service stations in these localities, the portion of the public proposed to be served being thus limited. The evidence indicates the highly specialized service rendered by the applicant is not only desirable but essential.

to the various parts houses at the points mentioned.

No serious objection was made to the authorization of the service sought. Some criticism was made of the form of charges proposed in the tariff, attention being called to Re Carley & Hamilton, Inc., Decision No. 27102 in Application No. 19362. In view of the nature of the service performed by applicant, the somewhat technical requirements specified in this decision are not reasonably applicable here.

Some criticism was made of the form of the proposed tariff, which was not in entire harmony with the application. Before the close of the hearings, however, this was amended so as to be in reasonably satisfactory form. The criticism of the generality of the articles listed is sufficiently met by the limitation of use and service.

The applicant asked for an order permitting of the consolidation of the rights sought with those heretofore granted. This request, however, was withdrawn.

I recommend the following form of findings and order:

FINDINGS AND ORDER

AUTOMOTIVE PURCHASING CO. INC. having made application as above entitled, a public hearing having been held and the matter having been duly submitted,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby finds and declares that public convenience and necessity require the operation by AUTOMOTIVE PURCHASING CO. INC., as ancillary to its business of shopping for and purchasing automotive parts, accessories and supplies necessary for and used in the building, maintenance, operation, repair and servicing of automotive equipment, of a service as freight forwarder between San Francisco and Oakland on the one

hand, and Auburn, Carmel, Chico, Corning, Fresno, Gilroy, Marysville, Merced, Modesto, Monterey, Pittsburg, Red Bluff, Roseville, Salinas, Santa Cruz, Ukiah, Visalia and Watsonville on the other, the service to be rendered only to automotive parts houses, garages and service stations located at such points.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be and the same hereby is granted to AUTOMOTIVE PURCHASING CO. INC., subject to the following conditions:

1. The applicant shall file in triplicate within not to exceed thirty (30) days from the date hereof a tariff constructed in accordance with the Commission's general orders and containing rates, commodity descriptions and rules and regulations substantially in the form of Exhibit "A" attached to the application, as amended by Exhibits 5, 6, 7 and 8.
2. Applicant shall file its written acceptance of the certificate herein granted within fifteen (15) days from the date hereof.
3. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the consent of the Railroad Commission of the State of California to such discontinuance, sale, lease, transfer or assignment has first been secured.

Except as otherwise herein provided, the effective date of this order shall be twenty (20) days from the date hereof.

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

Dated at San Francisco, California, this 29th day of June, 1936.

M B Davis
M. A. Davis
Frank R. Davis
Commissioners