

Decision No. 3270625

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
EDWARD EUGENE DUNNE, seller, and MARY)
T. DUNNE, buyer, for an order of the)
Railroad Commission of the State of)
California authorizing the sale and)
transfer of the operative rights and)
properties herein described.)

Application No. 23994

BY THE COMMISSION:

O P I N I O N

Edward Eugene Dunne and Mary T. Dunne by the above-entitled joint application request authorization of the sale and transfer by the former to the latter of a certificated highway common carrier right between San Francisco and Betabel, together with certain operative equipment.

Mr. Dunne, by Decision No. 32736, in Application No. 22397, was authorized to acquire the certificated rights originally granted to J. D. and J. W. Maynard by Decision No. 26047, in Application No. 11183. The rights thus acquired permitted operation between Betabel, Sargent, Gilroy, San Martin, Morgan Hill, San Jose, Santa Clara, Sunnyvale, Los Gatos, Campbell and intermediate points, with a right to serve points within seven miles on either side of the highways traversed and from the points above mentioned to San Francisco and Oakland. The truck service is limited to the transportation of vegetables, green and dried fruits, including berries and garden and vegetable seeds, with a return movement of empty containers, seed and such merchandise as may be ordered by the ranchers and packing plants served.

Mary T. Dunne, who is the mother of the applicant Edward Eugene Dunne, conducts an interstate common carrier operation between San Francisco and Santa Clara County. She also operates pursuant to highway contract and radial highway common carrier permits issued by this Commission.

The application states that applicants propose to consolidate their two enterprises in order that a more economic and efficient service may be rendered.

Full consideration has been given to this matter. The Commission is of the opinion that a public hearing is unnecessary and that public convenience and necessity require the granting of this application.

O R D E R

IT IS ORDERED that Edward Eugene Dunne be and he is authorized to transfer the highway common carrier certificate granted to him by Decision No. 32736, in Application No. 22397 to Mary T. Dunne, together with operative equipment specifically described in Exhibit "A," attached to and made a part of Application No. 23994.

IT IS FURTHER ORDERED that Mary T. Dunne be and she is authorized to conduct a highway common carrier service pursuant to and in accordance with the terms of said certificate.

IT IS FURTHER ORDERED that in the operation of said highway common carrier service pursuant to the foregoing certificate, Mary T. Dunne shall comply with and observe the following service regulations:

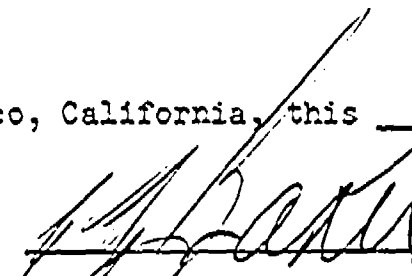
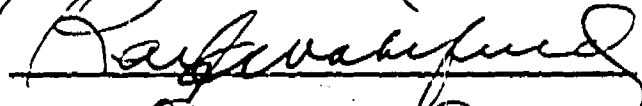

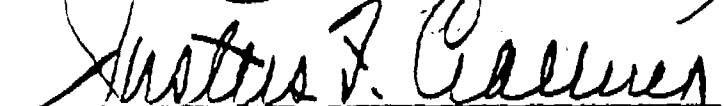
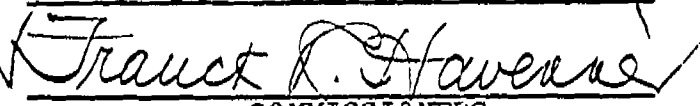
1. File a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.
2. Subject to the authority of this Commission to change or modify such at any time by further order, conduct said highway common carrier operation over and along the following described routes:

Via U. S. Highway No. 101 between Betabel and San Francisco; via the San Francisco-Oakland Bay Bridge between San Francisco and Oakland; via State Highway No. 17 between San Jose and Los Gatos.

3. Within sixty (60) days from the date of this order and on not less than five (5) days' notice to the Commission and the public, unite with Edward Eugene Dunne in common supplement to the tariffs now on file with the Commission in the name of Edward Eugene Dunne, showing the withdrawal of Edward Eugene Dunne and the adoption and establishment of such tariffs by Mary T. Dunne.
4. File, in triplicate, and make effective within a period of not to exceed sixty (60) days from the effective date of this order, on not less than five (5) days' notice to the Commission and the public, time schedules covering the service herein authorized in a form satisfactory to this Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 4th day of March, 1941.






COMMISSIONERS