

Decision No. 40104

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MELVIN ROY, doing business as FLO')
DEL CO., for a certificate of)
public convenience and necessity as)
a highway common carrier.)

Application No. 28194

FRANK LOUGHERAN, for applicant.
WILLIAM MEINHOLD, for Southern Pacific Company, North-
western Pacific Railroad Company and Pacific
Motor Trucking Company, interested parties.
DOUGLAS BROOKMAN, for Marin Sonoma Fast Freight and
Merchants Express Corporation, interested
parties.

O P I N I O N

By the above entitled application, as amended, Melvin Roy doing business as Flo' Del Co. requests the Commission for a certificate authorizing the establishment and operation of service as a highway common carrier for the transportation of fresh cut flowers, potted flowers, potted plants, fresh floral wreaths and other floral arrangements between San Francisco, Sausalito, Mill Valley, San Rafael and other Marin County points, Orinda, Lafayette, Walnut Creek and intermediate points. A public hearing thereon was had before Examiner Paul in San Francisco on March 5, 1947, and the matter was submitted for decision.

Applicant Roy presently conducts a similar operation between San Francisco, El Cerrito and San Leandro and intermediate points via Oakland, Berkeley and Alameda, and between San Francisco and Palo Alto and intermediate points under a certificate heretofore issued to him.

Protests to the application were withdrawn pursuant to a stipulation between the parties that the application be amended to restrict the service to the transportation of shipments from retail florists to their customers.

It is proposed to provide service daily except Sundays. Applicant has eight units of panel type trucks which are especially designed for the transportation of cut flowers, potted plants and floral arrangements which are unwrapped and unpacked. The testimony of public witnesses shows that the service offered by applicant would fill their needs for the transportation of the commodities involved between the points which applicant proposes to serve. The principal need, according to the testimony of these witnesses, is for a rapid and reliable service by experienced handlers which will eliminate the rehandling of their commodities as much as possible.

The record shows that the transportation of cut flowers and plants is a highly specialized business which requires the use of special equipment. Applicant has shown that he is financially able and well equipped to provide such service. A review of the record in this proceeding shows, and we find, that there is a public need for the proposed operation and the authority requested will be granted.

ORDER

An application therefor having been filed, a public hearing had and evidence adduced and it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Melvin Roy authorizing the establishment and operation of service as a highway common carrier, as defined in Section 2-3/4 of the Public Utilities Act for the transportation of fresh cut flowers, potted flowers, potted plants, fresh floral wreaths and other floral arrangements between San Francisco, Sausalito, Mill Valley, Corte Madera, Larkspur, Ross, Kentfield, San Anselmo, Fairfax, San Rafael, Tiburon, Belvedere, Orinda, Lafayette and Walnut Creek and intermediate points subject to the following condition:

Service provided hereunder shall be limited to shipments from retail florists to their customers.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- a. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.
- b. Within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicant shall establish the service herein authorized and comply with the provisions of General Order No. 80 and Part IV of General Order No. 93-A, by filing in triplicate and concurrently making effective, appropriate tariffs and time tables.
- c. Subject to the authority of this Commission to change or modify them by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along the following routes:

U. S. Highway No. 101 between San Francisco and San Rafael; Red Hill Avenue and Sir Francis Drake Boulevard between San Rafael and Fairfax; Sir Francis Drake Boulevard between San Anselmo and the intersection of Sir Francis Drake Boulevard with U. S. Highway No. 101 near

Greenbrae; Tiburon Boulevard from its intersection with U. S. Highway No. 101 to Tiburon and Belvedere; a public highway between Medosweet and Corte Madera; a public highway from the intersection of said highway with U. S. Highway No. 101 approximately 1.7 miles north of Manzanita to Mill Valley; a public highway from the intersection of said highway with U. S. Highway No. 101 at or near Manzanita to San Anselmo including service along said highway to Mill Valley; a public highway from the intersection of said highway with U. S. Highway No. 101 thence along said highway via Sausalito to the point where said highway rejoins U. S. Highway No. 101 at or near Manzanita; California Highway No. 24 between Oakland and Walnut Creek with diversion to Orinda from Orinda Junction.

The effective date of this order shall be 20 days from the date hereof.

Dated at Los Angeles, California, this 25th day of March, 1947.

Sanford Hule
Justus F. Callesca
A. J. [unclear]
[unclear]

 COMMISSIONERS