

ORIGINALDecision No. 42418

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THOMAS W. GILBOY and DOROTHY M. GILBOY,)
 a copartnership, doing business under) Application No. 30646
 the name and style of GILBOY COMPANY)
 for authority to extend its operations)
 to San Luis Obispo.)

O P I N I O N

Applicants, Thomas W. Gilboy and Dorothy M. Gilboy, co-partners, doing business as Gilboy Company, are presently engaged in the transportation of motion picture films and motion picture theater supplies as a highway common carrier between San Francisco and Salinas by virtue of Decision No. 19890, in Application No. 28235. Similar service is also provided by applicants between many other points in California. As an extension and enlargement of their existing operative rights, applicants seek authority to serve between Salinas and San Luis Obispo and intermediate points.

Trucking equipment presently owned and operated by applicants would be used in the proposed operation. Trucks would leave San Luis Obispo at 12 midnight, arrive in Salinas at 3:30 a.m., pick up material destined for San Francisco from theaters located at various points along the routes. An interchange of loads would be made at Salinas with trucks from San Francisco. The trucks would leave Salinas at 4 a.m., and arrive at San Luis Obispo at 7:45 a.m., making deliveries at intermediate points.

Charges for the proposed service would be as follows:

Between San Francisco, on the one hand, and, on the other hand:

Gonzales and Soledad	\$6.50
Greenfield, San Miguel and King City	7.00
Paso Robles, Atascadero and San Luis Obispo	7.50

Those charges would be for a "Service" as that term is defined in applicants' Local Freight Tariff No. 6, Cal. P.U.C. No. 3 and subject to the rules and regulations in that tariff.

As justification for the authority sought, applicants allege that the existing services are unsatisfactory and inconvenient as films cannot be handled satisfactorily with general freight due to the specialized timing required in this type of business operation. Applicants further allege that the express service is also unsatisfactory due to the fact that the Railway Express offices are closed on Saturdays, Sundays and holidays, which are the most important days in the theater business.

Carriers presently serving the area covered by the above entitled application have notified this Commission that they do not desire to protest the granting of the application..

From the evidence of record we conclude that public convenience and necessity require establishment of the service as proposed. A public hearing is not necessary.

O R D E R

Application having been made, and it having been found that public convenience and necessity so require,

IT IS ORDERED:

- (1) That a certificate of public convenience and necessity be and it hereby is granted to Thomas W. Gilboy and Dorothy M. Gilboy, partners, authorizing the establishment and operation of service as a highway common carrier, as defined by Section 2-3/4 of the Public Utilities Act, for the transportation of motion picture films and motion picture theater supplies between Salinas and San Luis Obispo and

intermediate points.

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

- a. Applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days after the effective date hereof.
- b. Within 60 days after the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicants shall establish the service herein authorized and comply with the provisions of General Orders Nos. 80 and 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 it by further order, applicants shall conduct operations pursuant to the certificate herein granted between Salinas and San Luis Obispo and intermediate points via U. S. Highway No. 101.

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

Dated at San Francisco, California, this 18th day of October, 1949.

[Signature]
Justice T. Calver
[Signature]
Harold H. Hill
[Signature]
Commissioners