

Decision No. 11758

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application)
of L. C. Hall for Certificate of)
Public Convenience and Necessity)
to Carry Package Freight on Pass-)
enger Automobiles now being oper-)
ated between Chico and Willows,)
California.)

APPLICATION NO. 8298.

Bond & Deirup, by Lon Bond, for Applicant.

BY THE COMMISSION:

O P I N I O N

This is an application filed October 3, 1922 by L. C. Hall under the provisions of Section 5, Chapter 213, Statutes of California as approved May 10, 1917 and as amended, for a certificate of public convenience and necessity to carry small packages of freight on the passenger automobile stages now being operated by him between Chico and Willows and the intermediate points.

The applicant is, at the present time, the owner of an automobile passenger stage line transporting passengers only between Chico and Willows under a permit originally granted on February 20, 1920 to J. W. Young, as per Decision 7147, which operative right was, on June 8, 1922, transferred from Young to Hall by our Decision No. 10551. Two automobile passenger cars, having carriers attached with a capacity of approximately 250 pounds each are employed in this service and it is the desire of the applicant to secure authority

to carry light freight in connection with the passenger service, which service consists of one round trip daily, leaving Chico in the morning and leaving Willows in the afternoon, the distance between the two points being approximately 42 miles.

There is now no direct service for the transportation of freight between the points covered by the petitioner and, therefore, it is necessary to forward it by railroad via either Sacramento or Tehama. When goods move by freight train it takes, according to the testimony, from five to seven days, while by express the time consumed is twenty-four hours; if moved by automobile stage across the valley via the route of this applicant deliveries are made in less than four hours. There was testimony to the effect that there is a continual movement of small package freight between Chico, Willows and the intermediate points, and the testimony of the manager of the Orland Cheese and Butter Company showed there is a constant movement of cheese and butter to both Chico and Willows which cannot be satisfactorily moved either by freight or express because of the long time consumed in making the trip. This is especially true during the hot Summer months.

No opposition was entered against the proposed service, although interested transportation companies were notified of the hearing.

After giving full consideration to all of the statements set forth in the application and the testimony presented at the hearing, we are of the opinion that there is a public convenience and necessity for the service and that this applicant should be granted authority to handle light freight only in connection with the passenger stages now being operated by him between Chico and

Willows under the certificate issued on February 20, 1920, as heretofore referred to.

The certificate herein granted does not authorize the handling of heavy freight commodities and the term "light freight" shall be deemed to mean newspapers, ice cream, dairy products and package merchandise. No single article of merchandise shall have a weight in excess of one hundred (100) pounds and no single shipment from one consignor to one consignee shall exceed two hundred (200) pounds.

O R D E R

I. C. Hall, having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of a service for the transportation of light freight only on the passenger vehicles now being operated between Chico and Willows and the intermediate points, a public hearing having been held, the matter having been duly submitted, and the Commission being fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment of a service for the transportation of light freight only on the passenger automobiles of this applicant in connection with the service now being rendered by him between Chico and Willows and the intermediate points.

The term "light freight" shall be deemed to mean newspapers, ice cream, dairy products and package merchandise. No single article of merchandise shall have a weight in excess of one hundred (100) pounds and no single shipment from one consignor to one consignee shall exceed two hundred (200) pounds.

A certificate of public convenience and necessity is

heroby granted, subject to the following conditions:

1. Applicant herein shall file within a period of not to exceed ten (10) days from date hereof his written acceptance of the certificate herein granted; shall file within a period not to exceed twenty (20) days from date hereof tariff of rates and time schedules, such tariff of rates and time schedules to be identical with those filed as an exhibit and attached to the application herein, and shall commence operation of the service herein authorized within a period not to exceed thirty (30) days from date hereof.
2. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
3. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

March Dated at San Francisco, California, this 6th day
of ~~February~~ 1923.

C. Seaney
H. B. Lindsey
Dwight Martin
J. T. Whittney