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Decision No. 12002

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 J. R. HALEY for certificate of)
 public convenience and necessity to)
 operate freight and baggage service)
 between San Diego, Ballena, Witch) Application No. 8766
 Creek, Santa Ysabel and Julian,)
 California.)

J. R. Haley in propria persona

Warren E. Libby for Julian Truck Line
and Cleason Ambler, Protestants.

BY THE COMMISSION,

O P I N I O N

This application was heard by Examiner Eddy at San Diego on April 2, 1923, at which time the matter was submitted and is now ready for decision.

The applicant proposes to operate a two ton Kissel truck between San Diego and Julian serving as intermediate points Ballena, Witch Creek and Santa Ysabel. At the hearing the application was amended so as to include also Pine Hills, a resort located a short distance off the highway near Julian. The truck will leave San Diego at 8 A.M. on Monday, Wednesday and Friday and Julian at the same hour on Tuesday, Thursday and Saturday, and is scheduled to arrive at destination at 5 P. M. the same day. Blanc and Christian, who operate the Julian Truck Line between San Diego and Julian, and Cleason Ambler who operates a truck line between San Diego and Mesa Grande via Santa Ysabel, protested the granting

of the application. The applicant will run on alternate days to the Julian Truck Line, thus furnishing a daily service.

At Santa Ysabel there is but one store, and until recently Ambler has hauled 90 per cent of its freight. He testified that he had been passing through Ballena and Witch Creek since 1912 and until November of last year had never picked up or delivered a pound of freight at either place. Ambler has a 3 ton Moreland truck and the Julian Truck Line three trucks with a capacity of 21,000 pounds. During the month of March the eastbound loads of the latter line were but 24 percent of its capacity and the westbound loads 39 percent. These figures are said to be extremely favorable because of special shipments of ore and mining machinery made during the month. Ambler's truck has a capacity of 9,000 pounds, but his average load eastbound for the past three months was 3,000 pounds. Except during the fruit season but little traffic moves westbound, that is, from Julian to San Diego. Considerable fruit originates in this territory much of which, however, is hauled into San Diego on trucks owned by the produce merchants of that city who have purchased the fruit direct from the growers. One grower living two miles south of Julian testified that last year he shipped into San Diego, via the Blanc line, 4600 boxes of apples weighing 40 pounds each and received the "best service" he ever had. Another shipped 25 tons of fruit by this same line and was satisfied with the service. One other witness testified as to the adequacy of the present service and several other witnesses were present prepared to testify to the same effect, but were not called. No witness was present to testify in behalf of the applicant. A petition requesting that the ap-

plication be granted, and signed by about 40 residents along the proposed route was received at the hearing.

Sofar as the record indicates, the present service is ample and satisfactory to fully meet the requirements of the traffic during the winter season and no necessity exists for a daily service. When the fruit is ripening the Julian line will operate a daily service or even a schedule twice daily should that prove necessary to handle the traffic offered.

The application will be denied.

ORDER

A public hearing having been held in the above entitled proceeding, evidence submitted and the Commission being fully advised,

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is denied.

Dated at San Francisco, California, this 2d day of May, 1923.

C. Seavey
H. B. Ludwig
Dwight Martin

J. T. Whittney
Commissioners