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Decision No. 12295

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of HARRY C. HARDING, JAMES N. HARDING and WM. T. BURR for a certificate of public convenience and necessity to operate motor truck freight service between canneries located at Camarillo, Mission Station, Pacoima and San Fernando and all points within radius of sixty (60) miles of either of said canneries.

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Application No. 9167  
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BY THE COMMISSION,

ORDER

In this proceeding Harry C. Harding, James N. Harding and Wm. T. Burr, co-partners, have filed an application with the Railroad Commission in which they petition for a certificate of public convenience and necessity effective only during the season of 1923 authorizing the operation of automotive truck service for the transportation of fresh fruits and vegetables to canneries located at Camarillo, Mission Station, Pacoima and San Fernando from ranches located within a radius of 60 miles thereof; also potatoes from such ranches to loading points at railroad sidings at all of the above named towns.

Applicant has for use in such service three trucks with a capacity ranging from 2 to 5 tons each and four trailers with a capacity ranging from 1 to 6 tons each, and will operate under a schedule of rates as set out in Exhibit "A" attached to the application herein.

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All of the hauling herein proposed will be from farms or ranches to canneries or railroad loading points and will consist solely of farm products, with the exception of return of empty containers. The Legislature of 1923 enacted what is known as Assembly Bill No. 749, which Bill has been signed by the Governor to become effective within approximately six weeks. This Bill expressly exempts from the provisions of Chapter 213, Statutes of 1917, and amendments thereto, trucks engaged in the hauling of products of husbandry from farms to canneries or rail loading points, such as proposed by applicants herein, and as it appears that the people of the State of California do not desire that this class of truck operation be subject to regulation, we are of the opinion that in view of the recent Legislative enactment, though such Act has not as yet become effective, that this is a matter in which a public hearing is not necessary and that applicants herein should be granted the certificate asked for pending the effective date of Assembly Bill No. 749.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA  
HEREBY DECLARES that public convenience and necessity require the operation by Harry C. Harding, James N. Harding and Wm. T. Burr, co-partners, of an automotive truck line for the transportation of fresh fruits and vegetables from farms and ranches located within a radius of 60 miles of Camarillo, Mission Station, Pacoima and San Fernando to canneries located at such points; also for the transportation of potatoes from farms and ranches to railroad sidings located at the points hereinabove named, and

IT IS HEREBY ORDERED that a certificate of public con-

venience and necessity be, and the same hereby is granted subject to the following condition:

Said certificate shall expire upon the effective date of Assembly Bill No. 749, known as the Crittenden Bill, after which date no certificate will be required for this particular class of transportation service.

Dated at San Francisco, California, this 29<sup>th</sup> day of June, 1923.

C. Seaver

Dwight Mastan

J. T. Whitting  
Commissioners