

DECISION No. 12392

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of  
J. W. PURKHISER for certificate of  
public convenience and necessity to  
operate freight and express service  
and baggage service between Fresno  
and Pinedale.

**ORIGINAL**

Application No. 8871

G. G. Graham for applicant  
Herbert J. Goudge for Sugar Pine Lumber  
Company and Pinedale Realty Company.  
O. L. Everts for Fresno Traction Company.

BY THE COMMISSION:

O P I N I O N

J. W. Purkhiser has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck service as a common carrier of freight, express and baggage between Fresno and Pinedale and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Fresno on June 1, 1923, the matter was submitted and is now ready for decision.

Applicant proposes to charge rates and to operate on time schedule in accordance with Exhibits "A" and "B" attached to said application, using as equipment those certain trucks described in Exhibit "C", attached to said application.

The Fresno Traction Company, Sugar Pine Lumber Company and Pinedale Realty Company appeared in opposition to the granting of this proposed service.

The testimony shows that Pinedale is a new town about nine miles from Fresno, brought into existence by the construction of a lumber mill and box factory by the Sugar Pine Lumber Company.

This lumber plant is now nearing completion and in a short time there will be employed at least one thousand men in carrying on its operations. The townsite of Pinedale has been subdivided by the Pinedale Realty Company into several hundred lots and is immediately adjacent to the plant of the Sugar Pine Lumber Company. It appears that there are at least twelve families now residing in Pinedale and about thirty houses have been constructed of various kinds. A very large number of town lots have been sold and the record shows that at an early date this community will have a considerable population on account of the large number of men employed at the lumber mill, together with the various merchants and business men who will soon and are now opening business places in this community. It has already several of the usual business places, such as a butcher shop, a restaurant and pool hall and other business enterprises are in contemplation. It appears that many lots have been sold for both business and residence purposes. Applicant has been engaged in doing some contract hauling for those engaged in construction work and has had requests from several doing business in Pinedale to establish this service. Applicant proposes to maintain a pickup and delivery service in order that goods, wares and merchandise can be sent direct by the consignor at Fresno to the consignee at any place in Pinedale.

The Fresno Traction Company offered evidence to the effect that they are now operating a line within a mile and a half of the present site of the Sugar Pine Lumber Company's mill and have now in construction an extension of its line thru the town of Pinedale which will connect with the Minarets and Western Railway which runs out of Pinedale into the mountains. This rail carrier proposes to render a freight and passenger service. Their cars will run from a given point in the City of Fresno and pass thru the town of Pinedale to the lumber mill. It appears,

however, that this protestant does not propose to operate any pickup and delivery service and shippers will have to bear the cost of drayage from and to the stations of this protestant. The record shows that the only property which will be carried free of charge will be the baggage of the passengers on this electric line.

We have given careful consideration to all the evidence in this application and are of the opinion and hereby find as a fact that public convenience and necessity require the operation of the proposed service of the applicant and the application should be granted.

#### O R D E R

A public hearing having been held in the above entitled application; the matter having been submitted and it being now ready for decision:

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by J. W. Parkhiser of automobile truck service as a common carrier of freight, express and baggage between Fresno and Pinedale and intermediate points.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby issued to J. W. Parkhiser, covering the described route and in accordance with the following conditions:

I. The operative rights and privileges hereby authorized shall not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

II. No vehicle may be operated in said service unless

said vehicle is owned by the applicant herein, or is leased by said applicant under contract or agreement satisfactory to the Railroad Commission.

III. Applicant shall within thirty days from date herein file with the Railroad Commission its schedule and tariffs covering said proposed service, which is to be in addition to the proposed schedules and tariffs accompanying the application, and shall set forth the date upon which the operation of the service hereby authorized will commence, which date shall be within thirty days from date hereof, unless time to begin operations is extended by formal supplemental order.

Dated at San Francisco, California, this 24<sup>th</sup> day of July, 1923.

C. L. Henry  
W. C. Brown  
Dwight Martin

Commissioners.