

ORIGINAL

Decision No. 12469

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of  
KEITH PEARCE, doing business under the  
fictitious name of Banning Transfer  
Company for certificate of public con-  
venience and necessity to operate an  
auto truck service between Banning and  
Los Angeles.

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) Application No. 9281  
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BY THE COMMISSION.

ORDER

In this proceeding Keith Pearce, doing business under the fictitious name of Banning Transfer Company, has filed an application with the Railroad Commission in which he petitions for a certificate of public convenience and necessity authorizing the operation of an automobile truck line between Banning and Los Angeles serving the intermediate points of Beaumont, Yucaipa, Redlands and San Bernardino.

Applicant sets out a schedule of rates under which he proposes to transport merchandise, fresh and dried fruits and ice-cream, using in such service two 2-ton trucks equipped with pneumatic tires.

Applicant gives as reasons relied upon as justification for the granting of a certificate the fact that in addition to the railroad companies, the Keystone Express is the only truck company serving this territory; that such company operates a day service only; that it is not suitable for the transportation of farm products from Banning and intermediate points to Los

Angeles during the evening for early morning delivery; further that applicant will not be in competition with the said Keystone Express in that he will carry express and baggage between San Bernardino and Los Angeles, points between which the Keystone Express is not now operating.

Applicant's reasons as justification for the granting of a certificate are entirely unsupported by actual facts. The Keystone Express mentioned as the only truck company operating in the territory proposed to be served, does not serve points proposed to be served by applicant herein, but operates between Los Angeles, Cucamonga, Ontario and certain intermediate points to Los Angeles. The Commission has within the last several months held several lengthy hearings upon the requirements of the shipping public in the territory proposed to be served by applicant herein and the record in such proceedings shows that there is available at the present time, in addition to several railroad lines and the American Railway Express Company, truck service by the Coachella Valley Transportation Company between Beaumont and Banning, San Bernardino, Riverside and other intermediate points to Los Angeles, truck service by A. J. Happe between Yucaipa, Redlands, San Bernardino, Beaumont and Los Angeles, by the Hodge Transportation System between all points proposed to be served by this applicant, by the Rex Transfer Company between San Bernardino, Redlands, Los Angeles and certain additional intermediate points, and also by the Service Motor Express between Riverside, San Bernardino and Los Angeles and certain intermediate points.

All of the companies hereinabove mentioned have considerable more equipment in actual operation or available for immediate operation than that proposed to be used by this applicant; further, several of such companies are engaged practically exclusively in

the transportation of fresh fruits to Los Angeles commission houses and to the Harbor District.

In view of the foregoing, we are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be denied.

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

Dated at San Francisco, California, this 11<sup>th</sup> day of August, 1923.

C. A. Seavey

Egerton Shore

J. T. Whittington  
Commissioners