



rates as set out in Exhibit "A" attached to the application herein. Applicants have one 5-ton Pierce Arrow truck to be used in such service and claim to have sufficient financial resources to purchase and operate whatever additional equipment will be necessary.

A public hearing in the above entitled application was held in Los Angeles on September 25, 1923, at which time the matter was submitted and is now ready for decision. The application was protested by the Southern Pacific Company, Pacific Electric Railway Company and the Triangle-Orange County Express. The protest of the latter was withdrawn when it was found that their operations did not include any of the territory proposed to be served by applicants herein. Applicants called as witnesses in support of their petition a number of merchants conducting stores in the territory proposed to be served. Testimony of these witnesses was uniformly to the effect that their business did not permit them to carry as complete a stock of goods as was required to properly serve their customers' demands and on frequent occasions they were obliged on short notice to order from wholesale houses in the city of Los Angeles and that the truck line herein proposed would enable them to place their orders in the wholesale houses and receive the goods within a very short period, whereas if the shipments were obliged to be moved by rail the loss in time would entail considerable loss in patronage. Further, that transportation by rail was not satisfactory in that at a number of points proposed to be served by applicants the railroad did not maintain an agency station and shipments were unloaded on platforms or on lots subject to loss or damage through weather conditions.

Applicants herein propose to render a store-door pick-up and delivery service.

On January 17, 1921, Application No. 6491 was filed with the Railroad Commission and in that application a similar service to that proposed herein was contemplated. Upon hearing on said application the Railroad Commission issued its decision on April 16, 1921 in which it was found that public convenience and necessity required the operation of automotive truck service. It appears, however, that the operator under said certificate rendered such poor and inadequate service that the Commission was obliged to issue its Order to Show Cause why such certificate should not be revoked. The hearing on the Order to Show Cause was heard concurrently with the hearing upon this application and a decision will be issued concurrently with the present decision, in which the previous certificate will be revoked.

In view of the findings in said decision on the Order to Show Cause and the evidence submitted in the present proceeding, we are of the opinion and hereby find as a fact that public convenience and necessity require the establishment of automotive truck service as herein proposed and an order will be entered accordingly.

I hereby submit the following form of Order:

O R D E R

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

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by H. B. Webster, E. C. Twitchell and Edwin B. Palmer, co-partners, of an automotive truck line as a common carrier of freight between Los Angeles on the one hand

and Los Alamitos, Westminster, Wintersburg, Huntington Beach, Costa Mesa, Newport and Balboa Beach, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted, subject to the following conditions:

1. Applicants shall file within a period not to exceed ten (10) days from the date hereof a written acceptance of the certificate herein granted and shall file within a period not to exceed twenty (20) days from the date hereof tariff of rates and time schedules, in duplicate, as set forth in Exhibit "A" and amended Exhibit "B" attached to the application herein, and shall commence operation under the certificate herein granted within a period not to exceed thirty (30) days from the 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 applicants unless such vehicle is owned by them or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this

7<sup>th</sup> day of November, 1923.

C. A. Seaver

H. B. Bunnell

Dwight Martin

Ernest Shore

J. T. Whittier  
Commissioners.