

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of S. B. COWAN for certificate of  
public convenience and necessity  
to operate auto truck freight ser-  
vice between Long Beach, Wilmington  
and San Pedro (Los Angeles Harbor  
Dist.) and Santa Ana, Orange, Ana-  
heim, Fullerton and points shown in  
Exhibit "A" attached. )

Application No. 9232

Warren E. Libby for Applicant.  
L. C. Zimmerman for Southern Pacific Railway, Protestant.  
R. E. Wedekind for Pacific Electric Railway, Protestant.  
H. N. Blair for Hodge Transportation System, Protestant.  
T. A. Woods for American Railway Express, Protestant.

BY THE COMMISSION:-

O P I N I O N

S. B. Cowan, operating under the fictitious name of the Triangle-Orange County-Santa Ana Express, has made application to the Railroad Commission for a certificate of public convenience and necessity to operate auto truck freight service between Long Beach, Wilmington and San Pedro (the two last named districts of the harbor in the City of Los Angeles) and Anaheim, Artesia, Bell, Bellflower, Brea, Clearwater, Downey, Dyer, El Modena, Fullerton, Garden Grove, La Habra, Los Nietos, Montebello, Norwalk, Olinda, Olive, Orange, Placentia, Rivera, Santa Ana, Santa Fe Springs, Sugar, Tustin and Whittier.

Public hearings herein were conducted by Examiner Williams at Santa Ana and Long Beach.

Applicant now serves all the points named from the business district of City of Los Angeles, but has no certificate to operate between Los Angeles and Long Beach, San Pedro and Wilmington (harbor district). Daily service in each direction is proposed over four different routings to various groups of points. Three trucks and trailers of a total capacity of 36 tons are proffered for the service. Rates based upon a classification include pick-up in Long Beach, and five zones in the harbor region at San Pedro and Wilmington, and also in all the points proposed to be served. The rates proposed are the same as from Los Angeles to the same points.

Witnesses from Long Beach, Anaheim, Fullerton, Santa Ana and Orange were produced by applicant in support of the public necessity for the service proposed. This testimony was uniformly that expedition in shipping between points was needed and that expedition could not be provided by carriers, either rail or auto, whose routes were through the City of Los Angeles. They testified that a service that would deliver shipments to Orange County points (Anaheim, Fullerton, Santa Ana and Orange) in the same period of time that is now required to deliver them for trans-shipment at Los Angeles, is a necessity. It was explained that Santa Ana is 26 miles east of Long Beach and the harbor points and Los Angeles 22 miles north. Shipments must now pass through Los Angeles, when transfer from harbor lines is accomplished, after which a journey of 30 miles to Santa Ana is necessary.

Quantities shipped by those testifying are not large but are frequent and of moderate volume. Long Beach wholesalers ship much to Orange County points and expedition is necessary because of competitive conditions at Los Angeles. E. C. McProud, manager of the

American Wholesale Hardware Company of Long Beach, testified that this firm ships consignments to Orange County points daily and that the service proposed by applicant would save at least six hours.

J. W. Wood, of the Wood-Jackson Arms Company testified that seventy five per cent of the company's wholesale business is in Orange County, and every week there are volume shipments.

Consignees at Orange County points who receive marine shipments at the harbor testified the service proposed is necessary to reduce shipping time after consignments are available for carriers at the wharves. E. C. Braunlich, buyer for the S. Q. R. Co. at Anaheim testified that its consignments require from three days to three weeks to move from the wharf to Anaheim. Geo. W. Schrammack, manager of the Pacific Stores Corporation at Fullerton fixed the period at from five days to three weeks. F. L. McCune, furniture, Santa Ana, fixed the period at four to six days, as did C. R. Weaver, books and stationery, Orange. Max Reinhaus, proprietor of a department store at Santa Ana testified it takes ten to fourteen days to transport his shipments. Robert Lee Stewart, president of the Santacala Woollen Mills, testified that this establishment will require transportation for about two tons daily from the harbor to Santa Ana in November and thereafter. Less than ten per cent of its shipments exceed three tons, he testified. The testimony shows no shippers whose consignments exceed three tons, except that shown by this witness, the maximum of other shippers being about one ton. It is obvious that the volume of shipments will not be large.

Protestant Hodge Transportation System now has a certificate serving all the points applied for by applicant in quantities of three tons or more and there was no proof that this service is not adequate and efficient. This protestant showed that it maintains

an agency at Orange with twelve trucks devoted to the Orange County points.

Protestant Southern Pacific Railway maintains daily service between Long Beach and the harbor region and Los Angeles and Orange County shipments are transferred to straight cars at Los Angeles for delivery and distribution. Protestant Pacific Electric Railway maintains similar service. The rates are much lower than those proposed by applicant, running from 28 cents to 11½ cents according to classification and destination. Both services require delivery to and from their terminals, which service is performed by applicant. This process of transportation, with delays incident to yard movements and consolidations result in an average of more than 48 hours for this service alone, though shippers fixed the average at seven days. Applicant's service proposes to pick up at the wharves and continuously transport property to destination without change, except for local distribution from Santa Ana to points not served en route.

Applicant proposes to operate over four routes but we do not believe his proof sustains a greater need of service than can be met by his operation over what he styles his Route No. 1, serving Garden Grove, Santa Ana, Anaheim, Orange, Olive, Tustin, Sugar and Fullerton, and in quantities not exceeding three tons from any one consignee and a certificate covering such service will be granted. For traffic of greater volume the service of the steam and electric carriers, protestants herein, and the automobile service of Hodge Transportation System, is adequate and efficient.

#### O R D E R

S. B. Cowan, operating under the fictitious name of Triangle-Orange County-Santa Ana Express, having made application

to the Railroad Commission of the State of California for a certificate of public convenience and necessity to operate auto truck freight service between Long Beach, Wilmington and San Pedro (Los Angeles Harbor District) and Santa Ana, Orange, Anaheim, Fullerton and other points, a public hearing having been held, the matter having been duly submitted and now being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation as proposed by applicant between Long Beach, San Pedro and Wilmington (Los Angeles Harbor District) and Garden Grove, Santa Ana, Anaheim, Orange, Olive, Tustin, Sugar and Fullerton, in quantities not in excess of three tons in any one consignment, over and along the following route:-

Anaheim Road from Long Beach, San Pedro and Wilmington via Garden Grove to Santa Ana, via Fourth Street,

and that a certificate of public convenience and necessity be and the same hereby is granted therefor upon the following conditions:-

- I. - That applicant, S. B. Cowan, shall file within fifteen (15) days with this Commission, his written stipulation accepting the certificate herein granted.
- II. - That applicant, S. B. Cowan, shall file within twenty (20) days from the date hereof, duplicate tariff of rates and time schedules, in accordance with General Order No. 51 of the Railroad Commission, and that operation of such service shall begin within a period

of thirty (30) days from the date hereof.

III. - That applicant, S. B. Cowan, shall not sell, lease, assign, or discontinue the service herein authorized, unless such sale, lease, assignment, or discontinuance shall have been authorized by the Railroad Commission.

IV. - That no vehicle shall be operated by applicant unless such vehicles are owned by said applicant, or are leased under an agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 31<sup>st</sup>  
day of December, 1923.

C. Leavy

Iwing Martin  
Everton Shore

Commissioners.