

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of C. J. YOUNG and J. N. POWERS)
for certificate of public con-)
venience and necessity to operate) Application No. 9298
a freight and passenger service)
between Blythe, California and)
Los Angeles.)

J. O. Phillips for Applicant.
E. T. Lacey for Atchison, Topeka & Santa Fe
Railway, Protestant.
T. Morgan for United Stages, Protestant.
C. W. Runge for Southern Pacific Railway
Company, Protestant.
T. A. Woods for American Railway Express,
Protestant.
C. E. Tribit, Jr., for Coachella Valley
Transportation, and Service Motor
Express, Protestants.
Phil Jacobson for Hodge Transportation System,
A. J. Happe, Rex Transfer Company, Key-
stone Express, Protestants.
W. E. Murray for Los Angeles-Blythe Track Line,
(Murray and Lein), Protestants.

BY THE COMMISSION:

O P I N I O N

C. J. Young and N.E. Powers, co-partners, have made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight and passenger service between Blythe and Los Angeles.

A public hearing herein was conducted by Examiner Williams at Indio.

Applicants propose to use Ford trucks for the transportation of freight and passengers with no intermediate business between Mecca and Los Angeles. The distance between termini by road is about 240 miles. Applicants propose a freight rate of \$1.25 per 100 lbs except household goods for which a rate of \$2.00 per 100 lbs is proposed. A passenger rate of \$5.00 between termini is also proposed. One roundtrip weekly, leaving Blythe Monday and Los Angeles Wednesday, is proposed.

Applicants have been transporting freight between Los Angeles and Blythe without valid authority for the greater part of three years and their testimony indicated that this experience is the basis for their belief that they would have abundant tonnage, particularly from Los Angeles to Blythe. During most of this period protestant, Blythe Truck Line has been giving service under certificate from this Commission and in this hearing there was no proof that this service has not been efficient, considering the distance to be traversed and the condition of the roads at certain times of the year. The proof seems clear that this protestant could have handled much larger quantities than it has received had it not been forced into competition with unauthorized operations such as has been conducted by applicants herein. Applicants propose to carry passengers upon the vehicles used for freight by carrying the passenger upon the seat with the driver, or on temporary seats fixed in the truck. The fare to be charged applies to any point between Mecca and Los Angeles and is approximately the same fare charged by the United Stages over its line between Blythe and Mecca. Protestant United Stages maintains daily service between Blythe and Mecca with connections to the main line of the United Stages at Mecca. It provides proper passenger equipment adequate for the business between these points. We can find nothing in the testimony indicating that this service is

not adequate and efficient and it is certainly in the interests of the travelling public to be provided with passenger stages rather than ride upon freight trucks.

Protestant Atchison, Topeka and Santa Fe Railway maintains daily freight service to and from Blythe, except on Mondays and there is no testimony in the record that this service is not efficient and adequate.

The application depends largely upon the desire of the applicants to conduct the operation and is not supported by testimony that additional carriers are necessary between the termini and intermediate points applied for. Not only this, but the method of operation proposed by applicants and the amount of equipment offered by them does not commend establishment of such service where there is already apparently adequate freight and passenger service under authority of this Commission. The record justifies and we hereby find as a fact that necessity and public convenience do not require the operation proposed by applicants.

O R D E R

C. J. Young and N. E. Powers, co-partners, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight and passenger service between Blythe and Los Angeles, 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 do not require

the operation proposed by applicants herein and that the application be and the same hereby is denied.

Dated at San Francisco, California, this 4th day of March, 1923.

C. Sawyer

Dwight Martin

J. H. Whittsey
Commissioners.