

Decision No. 13312

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
JOHN A. MARVEL for certificate of  
public convenience and necessity to  
operate auto truck baggage service  
between Glendale and Los Angeles. )

Application No. 9513

**ORIGINAL**

John A. Marvel, Applicant in propria persona.  
R. E. Wedekind and D. W. Lane for Pacific  
Electric Railway, Protestant.  
Phil Jacobson for Burbank Transfer Company,  
Richardson Transportation Company,  
Glendale and Los Angeles Transportation Company,  
Glendale-Interurban Express, Protestants.  
T. A. Woods for American Railway Express, Protestant.

BY THE COMMISSION:

O P I N I O N

John A. Marvel has made application to the Railroad Commission for a certificate of public convenience and necessity to operate auto truck baggage service between Glendale and Los Angeles.

A public hearing was held by Examiner Williams in Los Angeles.

Applicant proposes to use a small truck equipped with pneumatic tires for the transportation of baggage only between points in Glendale and the passenger stations in Los Angeles. He proposes to charge commodity rates only on baby buggies, bicycles, blanket rolls, suit cases, tool boxes and trunks or boxes containing personal effects. Two round trips each day are proposed and applicant plans to increase the equipment or service as need may demand.

Applicant's service was predicated on the alleged inadequacy of the service of numerous truck operators between Glendale and Los Angeles and also of the rail carrier, Pacific Electric Railway. Proof produced by applicant was to the effect that the service now established is largely devoted to the transportation of merchandise and bulk shipments and that little attention is paid by any carrier to the special need of baggage transportation and distribution. He produced several witnesses who testified that in their belief a special carrier for baggage between the two cities was a necessity, especially in view of the fact that a new hotel of large proportions is to be built. The testimony of these witnesses was general and only one or two isolated instances of delay on the part of existing carriers was shown.

Applicant has been irregularly hauling baggage between Glendale and Los Angeles and based his operation upon the probability of a large volume of business. In support of this he exhibited a contract between himself and the Atchison, Topeka and Santa Fe Railway by which he was to transport, for a consideration, baggage between Glendale and the Santa Fe station at Los Angeles. This contract provided for the payment by the Santa Fe to the applicant of rates not in accordance with the rates proposed by applicant and furthermore it provided that a portion of these rates should be paid by the railway company and the remainder by the patron. The contract also provided that applicant should have the privilege of checking, through to destination, baggage delivered to him for transportation to the Santa Fe station and over the lines of that road. This contract called for a service between

fixed termini and over a regular route and was made with applicant by the railway company before he had even made application to this Commission for a certificate. It was shown that Glendale now has approximately 45,000 population and that there is a great deal of travel to and from it by tourists who use transcontinental railways. The Santa Fe has no station or service into Glendale but maintains a traffic office.

James Little, one of the proprietors of the Glendale and Los Angeles Transportation Company a protestant testified that he has two regular trucks in service between termini and has special arrangements with the Los Angeles Transfer Company for the receipt of baggage at Los Angeles and its transportation to Glendale.

R. V. Hardie owner of the Glendale Interurban Express testified that his service has connections with the local baggage service in Los Angeles maintained by Atlantic and Southern Pacific Express and in this manner receives baggage from all stations for transportation to Glendale. He testified that he has put on a new auto at a cost of \$4400.00 for the purpose of expediting rush shipments and baggage to and from Los Angeles. He testified that there was not much movement of baggage from Los Angeles to Glendale but that there was in the other direction.

A. J. Richardson, proprietor of the Richardson Transportation Company testified that he has three trucks in service between Los Angeles and Glendale and that recently he made an investigation to determine whether the employment of a special truck for baggage would be justified as an adjunct to his service and that his investigation convinced him that no exclusive baggage service could be profitably maintained. He gave as the reason that too many small trucks are available in various parts of the city and that

they make special trips at low rates in connection with other services.

Protestant American Railway Express maintains pick-up and delivery during business hours in Glendale and has two services each way between Glendale and Los Angeles, one leaving at 8:14 in the morning and 3:30 in the afternoon from Los Angeles and the other leaving Glendale at 9:51 in the morning and 5:10 in the afternoon. Baggage is transported by the American Railway Express over the Pacific Electric lines and is delivered at the railway stations.

It seems plain from the foregoing statement of facts as adduced from the testimony that a special carrier of baggage in Glendale is not a necessity at this time and that the equipment, <sup>and</sup> facilities of the existing carriers are ample. It is probable that the schedules of some of the operators are not adjusted to convenient delivery of baggage for transcontinental trains but this may be easily corrected by one or all. Applicant himself does not offer more than two round trips daily and the only advantage offered by his service would be direct delivery at the stations and special pick-up in Glendale. His showing was insufficient to justify even a hope that the volume of business would permit him to long continue such an operation.

We, therefore, find as a fact that public necessity and convenience do not require the service as proposed by applicant and for this reason the application herein should be denied.

#### O R D E R

John A. Marvel, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate auto truck baggage service between Glendale 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  
service as proposed by applicant and that the application herein  
be and the same hereby is denied.

Dated at San Francisco, California this 24<sup>th</sup> day of  
March, 1924.

C. Seavey.

H. B. Burdige

Irving Martin

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Commissioners.