

Decision No. 14112

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application)
of B. N. TUCKER, for Certificate)
of Public Convenience and Necessity)
to operate Freight service between)
Corona, California, and San Pedro,)
and Wilmington, California.)

Application No. 9606

Walter S. Clayson for Applicant,
C. H. Jones for Pacific Electric Ry., Protestant,
D. F. McGlothlen for A. E. & S. F. Ry., Protestant.

BY THE COMMISSION:

O P I N I O N

B. N. Tucker, transacting business under the fictitious name of Pioneer Transfer Company, has made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight service between Corona and San Pedro and Wilmington, portions of the City of Los Angeles adjacent to the Harbor of Los Angeles.

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

Applicant proposes service for the transportation of freight between termini at a rate of \$3.65 per ton between Corona and Wilmington, and \$4.00 per ton between Corona and San Pedro.

At the hearing, applicant amended his application to include a commodity rate of \$3.00 per ton on fertilizer between either San Pedro or Wilmington and Corona. Applicant further stipulated that he would restrict his service to the transportation of citrus fruits and citrus fruit products between termini, and to citrate of lime, citric acid and commercial fertilizer between harbor points and Corona.

Applicant has been engaged in the trucking business in and about Corona for the past thirteen years, and offers as equipment for the service proposed, three standard trucks and one trailer of a total capacity of twelve tons, which appears to be ample for the volume of business moving between termini.

The service is to be performed chiefly for seven fruit packing houses at Corona and for the Exchange Citrus Products Co., and the United Chemical Co., manufacturers of citrus juices. That there is need for prompt and direct connection between Corona and harbor shipping points was testified to by H. M. May, secretary of the Exchange Citrus Products Co., more than half of whose product, exceeding 500,000 lbs., goes to the harbor for water shipment. This company also received at the harbor, chemicals, citrate of lime, concentrated lemon and lemon juice. It is Mr. May's testimony that truck service picks up at the plant and delivers to the ship's side on short notice, and saves from one to two days over the indirect rail transportation now available.

R. L. Hampton, manager of the Corona Foothill Lemon Co., Collis P. Huntington, foreman of the Corona Citrus Association, Pearl Ballard, bookkeeper for the American Fruit Growers Association, and E. T. Brink, manager of the United Chemical Co., W. H. Davidson, Jr., and A. J. Davis, manager of the Charters-Dain Co., gave similar testimony, and indicated a volume of business approximately 25 tons a month. Much of the movement during the present year has been retarded, owing to the restrictions imposed, due to cattle epidemic. It is the testimony of these witnesses that larger use of truck service would be made in future.

No testimony was introduced by protestant A. T. & S. F. Ry.

Protestant Pacific Electric Ry. introduced its rates and schedules. Protestant maintains the daily citrus fruit schedule leaving Corona at 5 P. M. and arriving at the delivery yard of protestant,

at the harbor, at 5 A. M. the following morning. The rate upon citrus shipments under a minimum of 26,700 lbs. for oranges, and 26,200 lbs. for lemons, is \$5.00 per ton. Service from Corona is given via Riverside and requires delivery to carrier at Corona and delivery at the wharf at the harbor.

From the testimony, it appears that the needs of the packing houses and citrus juice factories at Corona require the service proposed by applicant in order to promptly deliver shipments on short notice to the wharves. The service proposed by applicant being limited by a demand of the shipper for quantities of 5 tons or more is an emergency stand-by service, already performed by private trucks, that is not likely to affect the rail carriers, as witnesses indicated that the bulk of their shipments would continue to go forward by rail.

In view of all the testimony, we hereby find this a fact, based upon the record herein, that public necessity and convenience require the service proposed by applicant.

Q R D E R

B. N. TUCKER, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight service between Corona and Wilmington and San Pedro, portions of the City of Los Angeles adjacent to Los Angeles harbor, 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 requiring operation of the freight service proposed by applicant, limited to the transportation of citrus fruits and products between Corona and Wilmington and San Pedro, and return movement of citrate of lime, citric acid, box shoo, fertilizer and citrus packing-house supplies, upon demand and in quantities of five tons or more, over and along the following route:

west from Corona over the main highway, via Olive, Anaheim, Los Alamitos, Long Beach to Wilmington and San Pedro, and returning via identically the same route, and

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

- I. That applicant, B.N. Tucker, shall file within fifteen (15) days with this Commission, his written acceptance of the certificate herein granted. That applicant, B.N. Tucker, 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.
- II. That applicant, B.N. Tucker, 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.
- III. That no vehicle may 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 1st day
of October, 1924.

W. H. Donahoe
David Martin

J. T. Whittsey
Commissioners