

Decision No. 14144

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
Ralph R. Elkins for certificate of)
public convenience and necessity to) Application No. 10210
operate auto freight service between ;
Dunsmuir, California and Yreka, Calif.)

E. N. Lorenzen, for applicant.
A. D. Dillon and Ed. Stern for Amer. Ry. exp. Co., Pro.
E. N. Bradshaw for Southern Pacific Co., protestant.
D. M. Swobe for McCloud River Ry. Co., protestant
R. H. Dewitt, for Yreka R. R. Co., protestant.

BY THE COMMISSION:

O P I N I O N

Ralph R. Elkins has petitioned the Railroad Commission for an order declaring that public convenience and necessity requires the operation, by him, of an automobile truck line as a common carrier of freight between Dunsmuir and Yreka and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Dunsmuir, the matter was submitted and is now ready for decision.

Applicant proposes to charge rates and to operate on a time schedule in accordance with exhibits "A" and "B" attached to application and to use equipment described in exhibit "C".

Southern Pacific Railroad Company, American Railway Express Company and Yreka Railroad Company protested the granting of said application.

Applicant testified in his own behalf, but called no other witnesses in support of the application.

Applicant testified to the fact that he had voluntarily called upon various merchants in each of the communities proposed to be served to ascertain whether his proposed service was desired and it appears that some of these merchants indicated their willingness to patronize to some extent such a service if it was authorized by this Commission. It appears, however, that the great majority of the merchants in these communities are satisfied with the transportation services of the protesting rail carriers and did not endorse the applicant's service. Applicant admitted that the merchants at Yreka, one of the terminals proposed to be served, are entirely satisfied with the adequacy of existing transportation service and had refused to endorse his proposed service.

The applicant offered in evidence a petition signed by a few merchants in some of the communities proposed to be served requesting the authorization of such service.

The protesting rail carriers offered in evidence their respective rate and time schedules and offered also testimony to the effect that they were each and all rendering satisfactory and adequate service to all the points proposed to be served by said applicant.

After careful consideration of all the evidence, we are of the opinion that public convenience and necessity do not require the establishment of the proposed service and that the application should be denied.

O R D E R

A public hearing having been held in the above entitled application, the matter having been submitted and being now ready for decision,

IT IS HEREBY ORDERED that the said application of said Ralph R. Wilkins be, and the same is hereby, denied.

Dated at San Francisco, California, this 7th
Day of October, 1924.

C. Seavey
R. K. Sundick
Dwight Martin

J. T. Blitt
Commissioners.

MEM