

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
A. E. MALLET and GENE ANTEICHI, as
co-partners, (Sacramento-Corning
Freight Line) for a certificate of
public convenience and necessity to
operate an automobile truck line as
a common carrier of freight between
Sacramento and Willows and certain
intermediate points.

Application No. 9870

Duard F. Geis and Arthur B. Roehl,
for applicant,
L. N. Bradshaw, for Southern Pacific
Company, protestant,
Edward F. Stern and G. A. Velsir, for
American Railway Express Co., protestant,
G. J. Bradley for Merchants & Manufac-
turers Ass'n. of Sacramento.

BY THE COMMISSION:

O P I N I O N

A. E. Mallett and Gene Antichi, co-partners doing business under the name of Sacramento-Corning Stage Line, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile truck line as a common carrier of freight between Sacramento and Willows and all intermediate points, with the exception of Davis and Woodland.

A public hearing on this application was conducted before Examiner Satterwhite at Sacramento, 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 at-

tached to said application and to use equipment as shown in Exhibit C, attached to said application.

The Southern Pacific Company and the American Railway Express Company protested the granting of said application.

Applicant is now operating an authorized freight track line between Sacramento and Corning, serving only the intermediate points of Artois and Orland.

A. E. Mallett, one of said applicants, testified in his own behalf and called about six witnesses in support of his application, the majority of these witnesses being merchants at Willows and others being in business at Arbuckle. Letters from several other merchants at Willows are also in evidence, endorsing the application.

The testimony shows that the proposed freight service is desired by these merchants for the reason that a store-door delivery is proposed to be made, and that consignments of freight to them from Sacramento, their main buying center, can be transported more expeditiously.

Applicants offered but little testimony in support of their proposed service to the intermediate points of Yolo, Zamora, Dunnigan, Williams, Maxwell and Norman.

Southern Pacific Company, protestants, offered evidence to the effect that its service to all these communities is adequate and that the great majority of merchants and business men along the entire route are entirely satisfied with existing rail transportation facilities. This protestant offered in evidence a written protest from a large number of merchants at Williams, opposing the proposed additional truck service on the grounds that the present rail service is entirely efficient and satisfactory and that an additional truck

line would tend to demoralize the present rail service. It was also shown by this protestant that the majority of the merchants at Maxwell, as well as at Yolo, are entirely satisfied with protestant's rail service.

We have carefully considered all the evidence in this proceeding and are of the opinion and hereby find as a fact that the public convenience and necessity do not require the proposed additional service of applicant, save and except as to Willows, and the order herein will authorize the serving of Willows as an intermediate point on the applicants present authorized freight truck line between Sacramento and Corning.

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,

The Railroad Commission hereby declares that public convenience and necessity require the operation by A. E. Mallett and Gene Antichi, co-partners under the firm name of Sacramento-Corning Freight Line, of an auto truck line as a common carrier of freight between Sacramento and Willows.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for the foregoing truck service be and the same is hereby granted, not as a separate and distinct service, but as supplemental and in addition to applicant's present freight operative rights between Sacramento and Corning, and subject to the following conditions:

1. Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file, in duplicate, tariff of rates and time schedules identical with those filed as Exhibits "A" and

"B" attached to the application herein within a period of not to exceed twenty (20) days from date hereof; and shall commence operation of the service herein authorized within a period of not to exceed thirty (30) days from date hereof.

2. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

3. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 27th
day of January, 1925.

H. R. Brundage
C. Seamy
Egerton Shore
George D. Squires
Edmund Scott
Commissioners.