

Decision No. 14570

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of OPPENHEIMER TRUCK LINE for a)
Certificate of Public Convenience)
and Necessity to extend its)
authority to operate a freight)
auto truck service from Descanso)
to Pine Valley and all interme-)
diate points.)

APPLICATION NO. 10625

E. J. Bischoff, for Applicant.
C. E. Pennoyer, for Pennoyer's Descanso
& Alpine Stage Line, Protestant.

BY THE COMMISSION.

O P I N I O N

Rush Oppenheimer, transacting business under the name of Oppenheimer Truck Line, has applied to the Railroad Commission for authority to extend his freight auto truck service from Descanso to Pine Valley and all intermediate points.

A public hearing herein was conducted by Examiner Williams at San Diego.

Applicant is now conducting a freight auto truck service between San Diego and Descanso under proper authority from this Commission and desires to extend this service approximately six miles to serve Pine Valley. It was the testimony of appli-

cant that Pine Valley is now a resort of some proportions, having a club house, thirty cottages, a hotel, a garage and a golf course. Intermediate is the community of Guatay, a postoffice with a general store. No railroad or other means of transportation exists between Descanso and Pine Valley.

Pine Valley is in the mountainous country east of San Diego, at an elevation of approximately 4,000 feet. According to applicant, the approach to it is over severe grades, but the popularity of the place and its progressive development require some sort of service to transport subsistence and materials into the valley.

Applicant proposes two services a week, on Tuesdays and Fridays, at rates per hundred weight running from 50¢ to 90¢, with a minimum charge for 100 pounds in each class. As the movement of commodities is to Pine Valley, in great preponderance over any return movement, and as the haul is approximately 50 miles, over mountain roads with steep grades, the rates do not appear unreasonable.

C. E. Pennoyer, operating Pennoyer's Descanso and Alpine Stage Line, appeared to protest the application, in the belief that applicant intended to transport passengers. This protestant had no objection to the application as presented, and applicant gave assurance that he had not transported, and would not transport, any passengers.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the service proposed by applicant herein, and an order to that effect will be entered.

O R D E R

Rush Oppenheimer, transacting business under the fictitious name of Oppenheimer Truck Line, having made application to the Railroad Commission for authority to extend the automobile freight service now conducted by him between San Diego and Descanso, 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 require the extension of service from Descanso to Pine Valley via Guatay, over and along the following route:

Via main county highway between said termini and Guatay; and

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

- I. Applicant shall file written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file time schedules and tariff of rates identical with those as set forth in Exhibit 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.
- II. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission thereto has first been secured.
- III. No vehicle may be operated by applicant unless such vehicle is owned or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 17th day of February 1925.

H. A. Brandige

C. Seaver
Egerton Shore

Commissioners

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS
PRISON INDUSTRY AUTHORITY

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