

Decision No. 14792

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Letter of the Application)
of R. M. DAVIS and H. E. SMITH)
for certificate of public con-)
venience and necessity to oper-)
ate freight truck service between)
San Bernardino, Colton and River-)
side on the one hand, and Ales-)
sandro, Perris, Ethanac, Win-)
chester, Hemet, San Jacinto, Gil-)
man's Hot Springs, Nuevo and)
Lakeview, on the other hand.)

ORIGINAL

Application No. 10304

C. H. Tribit, Jr., for Applicant.
F. A. Woods, for American Railway Express,
Protestant.
L. R. Everett, for Atchison, Topeka & Santa
Fe Railway Company,
Protestant.

BY THE COMMISSION:

O P I N I O N

R. M. Davis and H. E. Smith, co-partners, have made application to the Railroad Commission for a certificate of public convenience and necessity to operate a freight truck service between San Bernardino, Colton and Riverside, and San Jacinto and intermediate and adjacent points.

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

Applicants are now engaged in the transportation of freight by automobile truck between Los Angeles and Coachella Valley points under the fictitious name of "Coachella Valley Transportation Company". Applicants also have the right under their certificate from this

Commission to transport property to and from San Bernardino, Colton and Riverside, and Coachella Valley points. In this application applicants ask permission to furnish truck service between San Bernardino, Colton and Riverside on property consigned to points south, including Alessandro, Perris, Ethanac, Winchester, Homet, San Jacinto, Gilman's Hot Springs, Nuevo and Lakeview. A schedule of class rates under Monroe's Classification is offered by applicants' Exhibit "A" attached to the application. According to Exhibit "B", attached to the application, schedule service is to be given two days each week (Wednesday and Friday), leaving San Bernardino at 8:00 a.m. and returning to San Bernardino at 6:00 p.m. The southern trip is to be completed at San Jacinto, and on the return trip service is to be given to Gilman's Hot Springs, Nuevo and Lakeview.

Applicants introduced Arthur E. Brown, wholesale grocer of San Bernardino, as a witness in support of the necessity for the service. Mr. Brown testified that he was now using protestant Santa Fe Railway, and that, while the truck would probably make quicker delivery, he felt that his company was in no real need of truck service. He expressed satisfaction with the Santa Fe service. The quantity shipped by him to points affected is about eight or ten tons per week.

Applicants also introduced Elmer Tremble, of the co-partnership of Fletcher & Tremble, operating between Los Angeles and Riverside and San Bernardino under the fictitious name of "Service Motor Express". Mr. Tremble testified that there were numerous inquiries (almost daily)

at his office in San Bernardino for service to points included in applicants' application, particularly Perris, Hemet and San Jacinto. This witness makes connection at Riverside with the service of the W & S Truck Company, serving Ethanac, Perris, Hemet and San Jacinto on through service from Los Angeles. Mr. Tremble further testified that his company had transported such shipments from San Bernardino to Riverside for a time, but had ceased because they found the operation was not authorized by the Commission. The witness expressed the belief, from his knowledge of the demands of shippers, that the service proposed by applicants would be useful and would eliminate the necessity for transfer of truck shipments at Riverside, which had not been satisfactory to shippers.

Applicants also produced M. V. Eusey of Riverside, sales manager for M. J. Johnson & Company, wholesale grocers, who testified that the service given by the W & S Truck Company was extremely inefficient and was not used by his company. He further testified that shipping was being done over the Santa Fe lines, but that this service was unable to make store-door delivery at Highgrove, Nuevo, Lakeview, Gilman's Hot Springs and other points. This witness believed the truck service proposed by applicants was needed by shippers in Riverside and that two trips per week would be ample. He testified that the volume of his tonnage from Riverside to other points was about four tons a week.

Protestant American Railway Express maintains daily service over the Santa Fe to all points applied for by applicants except Gilman's Hot Springs, Nuevo and Lakeview. Of the

points served, all are agency points except Alessandro."

Protestant Santa Fe maintains daily freight service via Highgrove for L. C. J., and via Riverside for carloads, at class rates much lower than those proposed by applicants.

It appears from the testimony that applicants have not shown any real need for the establishment of the service proposed, and we hereby find as a fact, upon the record herein, that public convenience and necessity do not require the service proposed by applicants.

O R D E R

R. M. Davis and E. B. Smith having made application to the Railroad Commission for a certificate of public convenience and necessity to operate a freight truck service between San Bernardino, Colton and Riverside, and San Jacinto and intermediate points, 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 required the operation of service as proposed by applicants herein; and

IT IS THEREFORE ORDERED that the application be and the same hereby is denied.

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 15th day of April, 1925.

H. A. Brundage
O. Cheaney

George D. Squires
Ernest S. ...

Commissioners.