

ORIGINAL

Decision No. 14939

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of J. W. RITZMAN for certificate)
of public convenience and neces-)
sity to operate an automobile)
freight service for the handling)
of cotton between Wasco, Shafter,)
Corcoran, Weed Patch, McFarland,)
Delano, Magunden, Lamont, Arvin,)
Fresno, Firebaugh, Madera and)
Mendota and Los Angeles and Los)
Angeles Harbor points.)

APPLICATION NO. 10728

In the Matter of the Application)
of J. W. RITZMAN for certificate)
of public convenience and neces-)
sity to operate an automobile)
freight service for the handling)
of cotton between Imperial and)
Coachella Valley points and Los)
Angeles Harbor points.)

APPLICATION NO. 10729

In the Matter of the Application)
of WM. IMAGEE for a certificate of)
public convenience and necessity)
to operate auto truck for)
freight service for transporting)
cotton, in bales only, from Im-)
perial Valley points and San)
Joaquin Valley points to Los An-)
geles and Los Angeles Harbor.)

APPLICATION NO. 10738

In the Matter of the Application)
of JEROME F. LYON, operating un-)
der the fictitious name of JERRY)
LYON TRUCK COMPANY, for certifi-)
cate that public convenience and)
necessity require him to operate)
a motor truck service between Im-)
perial Valley points and Los An-)
geles, Wilmington and San Pedro,)
and between San Joaquin Valley)
points and Los Angeles, Wilming-)
ton and San Pedro.)

APPLICATION NO. 10881

In the Matter of the Application)
of WALTER WILLHOUR for a certifi-)
cate of public convenience and)
necessity to operate an auto)
truck for freight service in)
transporting cotton, cotton seed,)
cotton products and cotton gin)
supplies from Imperial Valley)
points and San Joaquin Valley)
points to Los Angeles and Los An-)
geles Harbor, and between points)
in San Joaquin Valley.)

APPLICATION NO. 10891

Myron Westover, for Jerome F. Lyon, Applicant.

Richard T. Eddy, for J. W. Ritzman, Applicant.

Chas. W. Lyon and Clay Robbins, for Wm. Magee, Applicant.

William C. Mullendore, for Walter Willhour, Applicant.

Devlin & Brookman by Douglas Brookman, for Imperial Valley - Los Angeles Express, Hodge Transportation System, San Joaquin Valley Transportation Company and Pioneer Truck & Transfer Company of El Centro, Protestants.

F. W. Mielke and L. C. Zimmerman, for Southern Pacific Company, Protestant.

E. T. Lucey and L. W. Butterfield, for Atchison, Topeka & Santa Fe Railway Company, Protestant.

George Clark, for Los Angeles & Bakersfield Fast Freight and Los Angeles and West Side Transportation Company, Protestants.

BY THE COMMISSION:

O P I N I O N

Applicants in the above entitled applications seek certificates of public convenience and necessity to transport cotton in bales and gin by-products and gin supplies between points of production in the San Joaquin, Imperial and Coachella

Valleys, and Los Angeles and Los Angeles harbor. Applicants Ritzman, Magee and Willhour confine their applications to the transportation, one way only, of cotton, cotton seed, cotton products and cotton gin supplies. Applicant Lyon proposes the transportation of cotton alone without back haul to the Coachella and Imperial Valleys, but seeks a return movement of oil well equipment and supplies from Los Angeles and Los Angeles harbor to San Joaquin Valley points.

Public hearings herein were conducted by Examiner Williams at Los Angeles.

Cotton is consigned from producing points to Los Angeles harbor for water shipment and only about 10 per cent of the entire amount transported is destined to Los Angeles city or points other than the harbor. For this reason the following condensed table of existing rates shows automobile rates, as against rail rates, to the harbor only:

Rates in Cents per Hundred Pounds
From Initial Points to L.A. Harbor

	LYON (a)	MAGEE (b)	WILLIEOUR	RITZMAN (c)	RAILROAD
<u>Imperial Valley</u>					
Coachella	45	45	45	45	62
Westmoreland)					
Calipatria)	62	62	62	45	62
Brawley)					
El Centro)	62	62	62	65	62
Calexico	65	65	65	65	62
Seeley	65	62	62	65	62
<u>San Joaquin Val.</u>					
Bakersfield	65	--	65	65	62
Firebaugh	85	--	85	75	79
Mendota	85	--	85	75	78
Porterville	75	--	75	--	69½
Weed Patch	65	65	65	65	--
Shafter-Wasco	65	65	65	65	--
McFarland)					
Delano)	65	65	65	65	62
Corcoran	75	65	75	65	--
Fresno	75	75	75	75	73½
Madera	85	75	85	75	76
Merced	95	--	95	--	94½

NOTE: Rail rates to Los Angeles city are the same as offered by applicants, or a few cents less, not exceeding 5 cents per 100 pounds.

- (a) Excluding territory between 5 and 25 miles outside the city limits of Bakersfield, except a zone 5 miles wide on each side of the highway. Also a rate of 30 cents for movements between Bakersfield, Weed Patch, Arvin, Lamont, Magunden, and Fresno, Mendota and Firebaugh. Also a rate of 20 cents between Corcoran and Fresno or Bakersfield. No minimum quantity or rate.
- (b) Applicant adds \$1.00 per ton for harbor delivery.
- (c) Minimum charge, Imperial Valley, \$100.00
Minimum charge, Coachella Valley, \$ 70.00
Minimum load, 10 tons.

The cotton industry in California during the last three years has shifted to transportation by water from Los Angeles harbor. During this period Los Angeles has become a cotton buying and trading center, and a Cotton Exchange, composed of fifteen agencies and firms, has been established.

According to the testimony of Charles A. Provost, Vice-President of the Los Angeles Cotton Exchange, the cotton buyers of this Exchange control the movement of shipping, and 60 per cent of the movement from Imperial Valley and 75 per cent from the San Joaquin Valley to Los Angeles harbor has been conducted by truck transportation. The cotton season extends over the entire year, with the peak movement extending from October to January and the minimum from the middle of June to August. According to this witness, the approximate production in California in the last four seasons has been as follows:

	Coachella and Imperial Valleys	San Joaquin Valley
1920-21 Bales	130,000	--
1922-23 "	100,000	--
1923-24 "	110,000	33,000
1924-25 "	115,000	40,000

According to the testimony of Mr. Provost, the cotton industry in California began in 1907 with a small planting in the Imperial Valley, spread to the Coachella Valley for a small acreage, and several years later was begun on a fairly large scale in the San Joaquin Valley. The witness said the season of 1925-26 promises a larger acreage of planting, and over a wider area, than in any previous year. The establishment of reduced ocean freight rates from Los Angeles harbor, together with more competitive market conditions, led the cotton brokers of Los Angeles to adopt truck transportation. When the Exchange Transportation Committee learned that the movement as conducted was not in compliance with law, the truckmen were advised to seek legal authority for their operations.

Mr. Provost explained that it is necessary, in filling orders, to select different grades of cotton, often at different gins, and that the use of a truck facilitates the assembling of cargoes, for the reason that trucks may go to the gin yards, select the qualities required, load the cotton on the trucks and trailers and transport it without further handling to the compressor at the Los Angeles harbor. It was the opinion of Mr. Provost that the use of trucks provides a better and faster service for through movement, reduces capital and interest charges on the commodity in transit, as well

as charges for storage and insurance, and, in addition, permits close connection with boats, which transportation by rail could not provide, sometimes due to track congestion.

The movement of cotton is conducted with truck and trailer in approximately 10-ton lots. Assuming parity of rates and time in transportation from initial points to the harbor, the witness said the elimination of handling charges which results from truck operation would make the truck operation of economic benefit to shippers. In addition, the maximum truck load permits the concentration of mixed loads at tidewater, convenient for shipment, while rail methods require the concentration of a carload at each gin point, which is not practical in the mixed business done by the brokers and shippers. This ability to concentrate mixed movements at Los Angeles harbor has made Los Angeles an important cotton-shipping point and the water movement has been steadily increasing. Of this movement by water, 60 per cent is consigned to Europe - usually to the Liverpool market - and 40 per cent to Atlantic ports.

The witness explained that a proportion of the shipments are emergency rush movements to spinning mills, and that the largest single movement of which the Exchange has record was one of 6700 bales from the San Joaquin Valley. The bales range in value from \$125 to \$135, thus creating a cargo of considerable value and requiring competent and reliable operators in the movements. The witness testified that, so far as he knew, there had been no serious loss or injury to cargo either by truck or by rail transportation. It was the experience of the witness that cotton may be moved from the

initial point to the harbor in from 16 to 24 hours by truck, while it requires from three to five days by rail. The witness could not recall any forfeiture of ship cargo-space due to failure of rail carriers to deliver in time for boat connection.

As to the truck rates paid, witness testified that the trade had paid approximately 65 cents from Calexico, 62 cents from other Imperial Valley points, 45 to 48 cents from Coachella Valley points, and 65 to 75 cents from San Joaquin Valley points, the lower price being from points south of Delano and the higher price from points north.

After the cotton has been picked it is transported to the cotton gins, where it is cleaned and graded according to staple, and the by-products (cottonseed cakes, cottonseed oil, cottonseed meal, and lint, or waste from the gin) are removed. The gin press results in bales of approximately 480 to 500 pounds in weight. The ginned cotton may then be delivered to the compressor, which reduces by compression the volume of the bale so that a volume of $16\frac{1}{2}$ pounds to the cubic foot is increased to $22\frac{1}{2}$ pounds to the cubic foot.

The only compressor in the Imperial Valley is at Calexico. At the San Pedro water front, Los Angeles harbor, another compressor is maintained, and the testimony indicates that other compressors are to be built at Bakersfield and Fresno, which are expected to be available for the 1925-1926 crop.

The movement from all points by truck has been almost invariably of uncompressed cotton, and a reason for this has been a differential of 7 cents favoring truck as against

rail rates. Cotton to be compressed in the Imperial Valley must first be transported to Calexico, the southernmost point of the entire district, except that cotton which is produced in the immediate vicinity of Calexico and ginned there, or that which is imported from the Mexican side of the border for compression. It is the policy of the cotton trade not to transport cotton south to Calexico for compression and then return it, compressed, to the harbor, but to make every load move by the shortest distance to the harbor, where compression is available at practically the same rate as at Calexico. The following comparison of rates between Calexico and Los Angeles harbor shows the rate difference on uncompressed cotton:

	<u>Rail</u>	<u>Truck</u>
Loading,	\$0.10	\$ -
Transportation rate,	.62	0.65
Handling at Harbor compressor,	.07	.07
Compression,	.20	.20
Switching,	.02	.02
Wharfage handling,	.035	.035
	<u>\$1.045</u>	<u>\$0.975</u>

NOTE: At the proposed truck rate of 45 cents from Calipatria and points north, the truck rate would be reduced to 77½ cents. Coachella production in 1924-25 amounted to about 4,000 bales.

Other witnesses introduced by applicants to testify as to convenience and necessity were L. S. Atkinson of Atkinson & Company, A. E. Lamberth of Anderson-Clayton Company, and C. C. Selden, agent for George E. McFadden, all cotton shippers. Their testimony was substantially the same as that of Mr. Provost.

The granting of the applications herein was protested by Southern Pacific Company as to operations in the

Imperial and Coachella Valleys and by the Southern Pacific and Atchison, Topeka & Santa Fe Railway Companies as to San Joaquin Valley operations.

No testimony was introduced by these protestants in refutation of the fact, as established by applicants, that for the past three years the great bulk of the uncompressed cotton from these regions has been transported to Los Angeles and Los Angeles harbor by truck.

Exhibit No. 1 filed by protestant Southern Pacific Company, showing the production of cotton in the Imperial Valley and its rail movement to Los Angeles harbor for the seasons 1920 to 1924, inclusive, indicates that in the season of 1920-21, out of a total production (estimated) of 100,047 bales, 40,248 bales of compressed and 35,109 bales of uncompressed cotton were transported to the harbor by rail. During the season of 1924-25, an estimated production of 94,000 bales resulted in a rail movement to Los Angeles harbor of 9,696 bales of compressed cotton and none uncompressed. It was the estimate of this carrier that there had been transported to the harbor by truck, during the 1924-25 season, 19,097 bales. A reasonable deduction from the exhibit seems to be that the shipment of compressed cotton is the only movement of cotton by rail from that valley to Los Angeles harbor, and that the claims of applicants and shippers in this respect are correct. It is to be noted, however, that there has been an increase in the last five years in the eastbound rail movement, reaching a peak of 80,946 bales in the season of 1923-24, as against 28,000 bales in 1921-22. In the season of 1924-25, however, the eastbound rail ship-

ments amounted to but slightly in excess of 48,000 bales. In other words, there has been an increase in rail shipments east, but a tremendous decrease in shipments by rail from the Imperial Valley to Los Angeles harbor. This protestant maintains a uniform carload rate of 62 cents per 100 pounds from any point in the Imperial Valley between Calexico and Indio and the harbor, the distance varying from 250 to 153 miles. From the San Joaquin Valley the carload rates range from 62 cents from Magunden, a distance of 189 miles from Los Angeles harbor, to 94½ cents from Merced, a distance of 355 miles. All the rates quoted are based upon a minimum of 10 tons.

The rates of applicants as to all points in the Imperial Valley, upon the same minimum, are higher than those of protestant Southern Pacific Company, but are 17 cents lower as to all points in the Coachella Valley. From the San Joaquin Valley points the rates proposed by applicants are the same or slightly higher than the rates of protestant Southern Pacific Company for all points to and including Fresno, but for points north of Fresno they are lower.

Protestant Southern Pacific Company, through the testimony of A. M. Levy, chief clerk of the Freight Traffic Department and particularly in charge of cotton transportation between the Imperial Valley and Los Angeles harbor, testified that compressed cotton from Calexico is delivered to the shipper at Los Angeles harbor at a rate of 90½ cents per 100 pounds, while uncompressed cotton is delivered at a rate of \$1.04½ per 100 pounds. In general, Mr. Levy's testimony corroborated the testimony already introduced as to the division of these rates between transportation charges and handling and

compression charges. For the convenience of shippers, through bills of lading on compressed cotton are issued at Calexico and delivered to consignees ahead of actual compression. Witness further testified that his records showed that no Southern Pacific train had missed a boat connection with cotton since 1920. He testified also that all the gins in the Imperial Valley, with the exception of two, are adjacent to the railroad, and that in January, 1924, the railroad issued a special order with a view to expediting shipments of cotton to the harbor. Witness produced exhibits as to Imperial Valley transportation but not as to San Joaquin Valley, there being few rail shipments from that region.

Howard P. Hughes, trainmaster of protestant Southern Pacific Company, testified that the schedule carrying cotton (as well as other freight) leaves Imperial Valley each evening, reaching Los Angeles the following afternoon, and is delivered at San Pedro (Los Angeles harbor) the next morning. Similar service from the San Joaquin Valley leaves Fresno at 1:50 p. m., reaching Bakersfield at 10:20 p. m. and San Pedro the following morning. The time given is net after delivery of cotton to cars.

Protestant Southern Pacific Company also produced as a witness A. G. Schmitt of Fresno, travelling freight and passenger agent for the San Joaquin Valley division, who testified as to the location of the gins and oil mills in that region. Witness testified that of 21 gins in the San Joaquin Valley, 12 are located on the railroad and 9 are located at an average distance of five miles therefrom, the most distant gins (at Weed Patch and Buena Vista Lake) being 10 miles from the railroad, and the nearest, at Corcoran,

being approximately 1200 feet from the track. Oil mills are located at Bakersfield and Fresno, both on the railroad, and a third oil mill is being constructed at Chowchilla, also on the railroad. Witness testified that the approximate annual production of cotton in the San Joaquin Valley was 33,000 bales, of which approximately 9,000 bales moved by rail, and that of this movement 6,000 bales were shipped to eastern points.

From the testimony presented by applicants and protestants herein it seems clear that the cotton industry prefers to use truck methods in delivering the ginned product uncompressed at Los Angeles harbor for compression and water shipment. The testimony is overwhelming that this situation has been developing, particularly in the past three years, and that protestant carriers have not been able to retain the shipment of cotton by rail. The testimony is positive that during the last season all of the uncompressed cotton in the Imperial Valley has moved by truck, and that approximately 22,000 to 25,000 bales, out of a total of 33,000 bales produced, have been moved by truck from the San Joaquin Valley.

The applications before us represent an effort on the part of the Cotton Exchange to bring the transportation of this commodity by truck to a basis of legal operation, under proper regulation, and it appears necessary for the proper protection and promotion of the cotton industry that efficient and dependable carriers be authorized to provide service. It also seems clear from the testimony herein that the cotton industry requires service incidental to transpor-

tation which only the mobility of truck units makes possible, thus bringing advantages of that system of transportation, as well as certain economies, which must be considered by this Commission in determining this matter: for instance, the selection of loads and their segregation; the assembling of quantities from different gins; and the concentration of all these cargoes at the harbor for compression before loading into boats. We are not unmindful of the fact that a low coast-to-coast water rate induces a diversion of the transportation from rail to steamship, and that the railroads have been unable to meet such situation; but it is equally true that should a change occur in the rates of either type of carriage, the collection and trans-shipment of the cotton crop might take an entirely different course. The basic fact herein presented is that the cotton crop has moved and does move by truck to the harbor; that the movement has heretofore been without valid regulation; and that both shippers and those engaged in the transportation of the commodity alike seek to bring themselves within the law. We see no reason why they should not be permitted to do so.

Of the applicants before us in this proceeding, each of whom testified in his own behalf, two own equipment at this time and offer it for the service proposed herein. These applicants are Walter Willhour and Jerome F. Lyon.

Applicant Willhour owns seven trucks of 26 tons' rated capacity, but capable of at least a 40 per cent overload, and four 5-ton and two 6-ton trailers. His equipment headquarters are at Bakersfield. This applicant appears to be in a position to acquire, by lease or otherwise, any ad-

ditional equipment which may be necessary when the movement of cotton becomes too large for the vehicles now owned by him. He testified that at one time, in moving cotton from the San Joaquin Valley, he used 40 trucks and trailers. This applicant has been conducting transportation of cotton by truck from the San Joaquin Valley for three years, appears to be thoroughly conversant with the area and with the needs of the shippers, and the record is clear that all past service performed by him has been efficiently conducted. Applicant also showed financial connections which were assuring as to his ability to meet all needs for the service he proposes from the San Joaquin Valley. This applicant has not transported cotton from the Imperial Valley and his offer to furnish such transportation is based upon advice from the Cotton Exchange and not upon actual experience.

Applicant Lyon offers as equipment 17 trucks with a gross capacity of 68 tons, not including overload, and 11 5-ton trailers, all owned by him. Applicant testified that he expected to increase this equipment to 20 trucks and that he had resources and financial ability to lease or otherwise acquire any number of trucks required for the transportation of cotton or other commodities under his application. He further testified that his present worth is approximately \$75,000. This applicant has had experience in transporting cotton from the Imperial Valley through lease of his trucks, and plans, if authorized to conduct service to this region, to establish a service station and transportation headquarters about midway between Los Angeles and Calxico for the purpose of dividing his operating forces in operating the trucks. His present headquarters are in Los Angeles.

The rates and offer of service by applicants Will-hour and Lyon are practically on a parity, except that applicant Lyon proposes to transport oil well equipment and supplies between Los Angeles and Los Angeles harbor and San Joaquin Valley points north of Bakersfield. As to the offer to transport oil well equipment and supplies, this applicant produced no testimony in support of the necessity for the establishment of such a service and it was brought into his application largely as a matter of back-haul, as he has already transported considerable quantities of these commodities in the past. We do not believe the record contains any evidence in support of the need of this service.

The other two applicants, William Magee and J. W. Ritzman, possess no equipment, although the applications set up, in Exhibit "C", equipment for each. The application of Magee shows thirty-one 5-ton trucks "of various standard makes," but this applicant testified that he owned no trucks and would purchase no equipment for the service proposed by him, as he did not believe the sporadic nature of the service to be performed justified investment in trucks. He testified that his experience in handling cotton convinced him that unless the trucks were used for other purposes than hauling cotton, an investment for this purpose would not be justifiable. Applicant Magee under this system has transported about 10,000 bales of cotton from the Imperial and San Joaquin Valleys. He testified that he had had fifteen years' experience in truck operation and had been connected with the Motor Transport department in France during the

World War. Applicant further testified that he has \$7,000 to \$10,000 available for financing the leasing of trucks. His testimony indicated that he has been, in effect, receiving a commission from the truck owners for procuring the hauls he has conducted, and that he has not at any time entered into actual leases in a proprietary way. The rates proposed by this applicant are based upon his experience under a leasing arrangement.

Applicant Pitzman testified that he had not hauled any cotton from the Imperial Valley and that he had no equipment except four small vehicles, which would not be useful in the service proposed. In his application this applicant listed six trucks, but he testified that he did not own any of the equipment, preferring to rent or lease equipment from others. Applicant further testified that he had employed trucks thus leased to haul cotton which he had contracted to transport from ranches to Calexico, and also in transporting hay, fruit and building material between various points and the Imperial Valley, including San Diego. He testified that his practice was to charge the shipper or consignee, whoever paid the bill, \$1.00 more than the rate he paid the man from whom he rented or leased the truck. Applicant further testified that he would arrange, if necessary, to acquire vehicles for use in the service proposed. His rates, as shown by his Exhibit "A" attached to the application, are 65 cents per 100 pounds for any distance or from any point between Calexico and Calipatria, and 45 cents per 100 pounds from Coachella Valley points.

After due consideration of the offers of all the applicants herein, we believe the offers of service as made

by applicants Willhour and Lyon comprise all that is necessary for the dependable transportation of cotton from the Imperial and San Joaquin Valleys to Los Angeles harbor points. The transportation of cotton from either of these valleys involves a haul of approximately 125 miles to Los Angeles harbor. Applicant Willhour's headquarters and equipment are located advantageously for service in the San Joaquin Valley and are at least 250 miles from the nearest producing region in the Coachella Valley. Applicant Lyon's equipment and headquarters are located at Los Angeles and are therefore 125 miles nearer the Coachella and Imperial Valleys. Especially will applicant Lyon's equipment be more valuable to the southeast than the equipment of applicant Willhour if Lyon establishes a station in the Imperial Valley at a point approximately eight hours' drive from Los Angeles, as he testified he purposes to do. Each of these applicants has had experience in the region in which he is located, and each seems to be amply prepared to furnish all the service necessary and to possess the requisite financial ability.

We therefore believe that a certificate should be granted to applicant Willhour covering service from all points in the San Joaquin Valley, and to applicant Lyon covering service from all points in the Coachella and Imperial Valleys. We believe it is far better to entrust operations of this character, often of vital importance to the cotton industry, to applicants possessing their own equipment, than to applicants who propose merely leasing arrangements. It is clearly of record, however, that the service rendered by applicant Magee to the Cotton Exchange shippers has been satisfactory.

After full consideration of all the evidence and exhibits herein, we are of the opinion and hereby find as a fact that public convenience and necessity require the service of Walter Willhour in the transportation of cotton from San Joaquin Valley points to Los Angeles and Los Angeles harbor, and of Jerome F. Lyon in the transportation of cotton from Coachella Valley and Imperial Valley points to Los Angeles and Los Angeles harbor, and that certificates therefor should be granted; also that the applications of J. W. Ritzman and William Magee should be denied. An order to this effect will be entered.

O R D E R

J. W. Ritzman having made application to the Railroad Commission for a certificate of public convenience and necessity to operate an automobile freight service for the handling of cotton between Imperial Valley and Coachella Valley points and Los Angeles and Los Angeles harbor, and between San Joaquin Valley points and Los Angeles and Los Angeles harbor, public hearings 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 require the service as proposed by applicant, and

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

William Magee having made application to the Railroad Commission for a certificate of public convenience and necessity to operate auto truck freight service for trans-

porting cotton, in bales only, from Imperial Valley points and San Joaquin Valley points to Los Angeles and Los Angeles harbor, public hearings 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 require the service as proposed by applicant, and

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

Walter Willhour having made application to the Railroad Commission for a certificate of public convenience and necessity to operate an auto truck freight service in transporting cotton, cotton seed, cotton products and cotton gin supplies from Imperial Valley points and San Joaquin Valley points to Los Angeles and Los Angeles harbor, and between points in the San Joaquin Valley, public hearings 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 establishment of service as proposed by applicant between Bakersfield, Weed Patch, Arvin, Lamont, Magunden, Shafter, Wasco, McFarland, Delano, Corcoran, Fresno, Porterville, Mendota, Firebaugh, Madera and Merced, and Los Angeles and Los Angeles harbor, and between Bakersfield, Weed Patch, Arvin, Lamont, and Magunden, and Fresno, Mendota and Firebaugh, and between Corcoran and Fresno or Bakersfield, and to or between no other points, over and along the following route:

Via main travelled roads to and from the State highway between Merced and Los Angeles, thence to Los Angeles and Los Angeles harbor; and

IT IS ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted, subject to the conditions appended to and following this order.

IT IS FURTHER ORDERED that as to all other points applied for, the application herein be and the same hereby is denied.

Jerome F. Lyon having made application to the Railroad Commission for a certificate of public convenience and necessity to establish motor truck service between Imperial Valley points and Los Angeles, Wilmington and San Pedro, and between San Joaquin Valley points and Los Angeles, Wilmington and San Pedro, for the transportation of cotton, cotton products, cotton gin supplies and oil well equipment and supplies, public hearings 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 establishment of service as proposed by applicant between Coachella, Thermal, Westmoreland, Calipatria, Brawley, Imperial, El Centro, Holtville, High Line, Seeley and Calexico, and Los Angeles and Los Angeles harbor points (Wilmington and San Pedro), over and along the following route:

Via State highway between Calexico and Los Angeles and Los Angeles harbor, and

Via main travelled roads from points off said highway to and from said highway; and

IT IS ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted, subject to the conditions appended to and following this order.

IT IS FURTHER ORDERED that as to all other points applied for, the application be and the same hereby is denied.

IT IS FURTHER ORDERED that each of the certificates herein granted is subject to the following conditions:

- I. Applicant shall, within twenty (20) days from the date hereof, file with this Commission his written acceptance of the certificate herein granted; shall file, in duplicate, 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 sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.
- III. No vehicle may be operated by applicant under the authority hereby granted unless such vehicle is owned or is leased by applicant 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 the date hereof.

Dated at San Francisco, California, this 15th
day of May 1925.

W. H. Brundage

C. C. Seaver

Frederick C. ...
Commissioners.