

ORIGINAL

Decision No. 15461

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of JOE BOZOFF and ACOP TARVOFF)
for certificate of public conve-)
nience and necessity to operate a)
motor freight milk service between)
Gardena, Torrance, Dominguez and)
Los Angeles.)

APPLICATION NO. 11268.

E. N. Blair and F. R. Carrell, for Appli-
cants.

Gay Lewis, for Robert Arutoff, Protestant.

L. W. Butterfield, for Atchison, Topeka
& Santa Fe Railway, Protestant.

T. A. Woods, for American Railway Express,
Protestant.

BY THE COMMISSION:

O P I N I O N

Joe Bozoff and Acop Tarvoff, co-partners, have made application to the Railroad Commission for a certificate of public convenience and necessity to operate a motor freight milk service between Gardena, Torrance, Dominguez and Los Angeles.

A public hearing herein was conducted by Examiner Williams at Los Angeles.

Applicants now are serving two customers within the district applied for and are transporting 45 cans of milk daily to a creamery at Los Angeles over an average distance of 17½ miles. Applicants acquired this business by purchase

from one Valbuse, who established it during the period when the transportation of such commodities was exempted from regulation under the provisions of the Amendment of 1923 to the Auto Transportation Act, which amendment was declared unconstitutional by the Supreme Court in April, 1925. No authorization for the service has heretofore been given by this Commission.

Applicants presented as witnesses in their behalf Dan Simas, a producer of the Carson Ranch near Dominguez, and L. Correia, a producer at Main and 190th Streets. Both of these witnesses testified to the efficiency of the service performed by applicants and to their desire to have the same continued.

While the granting of the application was protested by several carriers, all of the protests were withdrawn before the hearing except that of protestant Arutoff, and his protest was withdrawn upon the stipulation of applicants that they would not transport any milk from the district north of 182nd Street (also known as Walnut Street) between Figueroa Street and Harbor Boulevard.

From the record it appears, and we hereby find as a fact, that public convenience and necessity require the operation of the service proposed by applicants herein. An order granting the certificate applied for will accordingly be entered.

O R D E R

Joe Bozoff and Acop Tarvoff, co-partners, having made application to the Railroad Commission for a certificate

of public convenience and necessity to operate a motor freight milk service between Gardena, Torrance, Dominguez and Los Angeles, 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 operation of the service proposed by applicants herein, for the transportation of milk only, and for no other purpose, between farms in the region of Gardena, Torrance and Dominguez, and Los Angeles, over and along the following route:

Beginning at the intersection of Riverside, Redondo Boulevard and Main Street, also known as Harbor Boulevard, south on Harbor Boulevard to 182nd Street, west on 182nd Street to Normandie Avenue, thence back on 182nd Street to Harbor Boulevard, thence south on Harbor Boulevard to Carson Street, thence westerly on Carson Street to Normandie Avenue, thence back on Carson Street to Alameda Street, thence in to Los Angeles via Alameda Street - with the privilege of making pick-ups one-half (1/2) mile on either side of the aforesaid streets -

PROVIDED, HOWEVER, that applicants may not receive for transportation any milk on the north side of 182nd Street (also known as Walnut Street) between Figueroa Street and Harbor Boulevard; 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. Applicants shall, within twenty (20) days from the date hereof, file with this Commission their 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 applicants under the authority hereby granted unless such vehicle is owned or is leased by applicants 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 24th
day of September 1925.

W. B. Brundage

George D. Jones

Leon Whitell
Commissioners.