

ORIGINAL

Decision No. 15528

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of JOHN HAMO and A. SEMONIAN for)
certificate of public convenience)
and necessity to operate freight)
truck service between Los Angeles)
and dairy ranches in vicinity of)
Hynes, Clearwater and Downey.)

APPLICATION NO. 11205

Phil Jacobson, for Applicants.

M. G. Ferrahian, for Oganesoff & Oskonoff,
Protestants.

Robert E. Austin, for A. T. Spencer, Pro-
testant.

G. W. Myers, for J. M. Correia, Protestant.

E. N. Blair and Frank R. Carrell, for
Bozoff & Tarvoff, Protestants.

Richard T. Eddy, for R. E. Robson, Protestant.

BY THE COMMISSION:

O P I N I O N

John Hamo and Abat Semonian, co-partners, have made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight truck service between Los Angeles and dairy ranches in the vicinity of Hynes, Clearwater and Downey.

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

Applicants began business on January 11, 1924, purchasing part of a route previously operated by Marengo Brothers under authority of this Commission, and a route previously served by trucks owned by the Mutual Creamery of Los Angeles, which transported its own milk purchases from the ranches. Since that time applicants have developed their business and enlarged their field of operation, with the result that at the time of the hearing herein they were serving 18 dairies twice daily and transporting approximately 290 cans of milk an average distance of 18 miles to creameries in Los Angeles. Applicants propose a rate of 13 cents a can on milk from any district, and a rate of \$1.50 per ton on a back-haul of dairy feed and supplies from Los Angeles. Applicants own two 2½-ton trucks for use in this operation.

Applicants were supported in their application by the testimony of Sam Kilstaff, Fred R. Seagren, William J. Boehmer, Hans W. Schneider, Tony Massachia and Henry DeVries, all shippers served by applicants, and Elmer E. Monroe, assistant manager of the Mutual Dairy Association. These witnesses testified that the service performed by applicants has been adequate and efficient and the rates satisfactory.

While the granting of the application met several protests and witnesses produced by applicants were examined by protestants, no testimony was given which substantially altered the affirmative character of the testimony of applicants' witnesses, to the effect that the service being performed by applicants over the route traversed and within one-half mile thereof is a needed and useful service. True, in

some respects it conflicts in spots with the service of other applicants before this Commission, but the conflict is not sufficient to detract from the service as a whole, and the testimony of witnesses is assuring that the service rendered is satisfactory.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the service proposed by applicants, and that a certificate therefor should be granted. An order will be so entered.

O R D E R

John Hamo and Abat Semonian, co-partners, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate a freight truck service between dairy ranches in the vicinity of Hynes, Clearwater and Downey, 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 as proposed by applicants herein, for the transportation of milk and other dairy products between ranches in the vicinity of Hynes, Clearwater and Downey, and Los Angeles, and for a return haul of dairy feed and supplies from Los Angeles to the ranches served by applicants, over and along the following route:

Beginning at the intersection of First Street and College Avenue in Downey, thence south on College Avenue and Ocean Avenue to Artesia Avenue, thence east on Artesia Avenue to New York Avenue, thence north on New York Avenue to Center Street, thence east on Center Street to Cerritos Avenue, thence north on Cerritos Avenue to Zinn (Curtin) Road, thence east to Woodruff Avenue, thence north to Washburn Road, thence east to the junction of Downey-Norwalk Road, thence north to First Street, thence west on First Street to the point of beginning; and all points not to exceed one-half mile on either side thereof, and from Downey to Los Angeles via the Los Angeles - Downey Road via Bell; 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 file with this Commission, within twenty (20) days from date hereof, 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 15th
day of October 1925.

H. B. Brundage
C. Seaver

Edmund L. Lister
Leon Whitall
Commissioners.