

ORIGINAL

Decision No. 15726

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of H. C. VENABLE for a certificate)
of public convenience and neces-)
sity extending franchise for trans-)
portation of milk and dairy sup-)
plies to include dairies located)
on Montana Land Company's ranch,)
and to discontinue service to and)
from Clearwater.)

APPLICATION NO. 11278

John M. Holmick, for Applicant.

M. G. Ferrahian, for Oganessoff &
Oskenoff, Protestants.

Richard T. Eddy, for W. R. Bennett,
Protestant.

BY THE COMMISSION:

O P I N I O N

H. C. Venable has made application to the Railroad Commission for a certificate of public convenience and necessity to extend his present service for the transportation of milk and dairy supplies to include dairies located on the Montana Land Company's ranch, and for permission to discontinue service to and from Clearwater.

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

Applicant now conducts service under authority of this Commission, granted in Decision No. 8884 on Application No. 6713,

and has assumed that said decision authorized the service he has been giving to two producers occupying leased portions of the Montana Ranch. Question having arisen, however, as to his right to give this service, applicant has filed the application herein to clarify the situation.

Applicant's authorized service includes Artesia, but, under the decision above referred to, does not include the Montana Ranch, which is located approximately three miles south of Artesia. The testimony indicates that producers on this ranch, which covers a large area with many portions under lease for various purposes, are served not only by applicant, but by protestants Oganessoff and Oskanoff, who have been transporting milk to Long Beach. Applicant stipulated that he would accept no business west of one-half mile west of Woodruff Avenue and north of Artesia Street.

Applicant also asked to be relieved of further service to and from Clearwater, inasmuch as his patrons at this point have discontinued business. No reason appears why this permission should not be granted.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the extension of applicant's service for the transportation of milk and dairy supplies to include dairies located on the Montana Land Company's ranch, as proposed herein, and the discontinuance of his service to and from Clearwater. An order will be so entered.

O R D E R

E. C. Venable having made application to the Railroad Commission for a certificate of public convenience and necessity

extending his service for the transportation of milk and dairy supplies to include dairies located on the Montana Land Company's ranch, and for permission to discontinue service to and from Clearwater, 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 applicant's service from the junction of Artesia Street and Woodruff Avenue in Artesia, west to Somerset Avenue and south therefrom along Somerset Avenue a distance of three miles, serving milk producers in the domain of the Montana Land Company's ranch; PROVIDED, that applicant may not serve any territory more than one-half mile west of Woodruff Avenue and north of Artesia Street; 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 with this Commission, within twenty (20) days from the date hereof, his written acceptance of the certificate herein granted as an extension and enlargement of his present operating rights, and not as a new or separate right.
- II. Applicant shall file, in duplicate, time schedules and tariff of rates identical with those as set forth in Exhibits 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 hereby authorized within a period of not to exceed thirty (30) days from date hereof.
- III. 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.

- IV. 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.

IT IS HEREBY FURTHER ORDERED that applicant be and he hereby is authorized to abandon all service for the transportation of milk, cream, dairy products and dairy feed and supplies to and from the vicinity of Clearwater.

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 7th
day of December 1925.

H. B. Brundage
C. C. Seaver
George D. Squires

Commissioners.