

Decision No. 14726

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of J. M. CORREIA for certificate)
of public convenience and neces-)
sity to operate milk truck freight)
service between Norwalk, Artesia,)
Hynes, Clearwater and Los Angeles.)
Calif.)

APPLICATION NO. 11279

ORIGINAL

G. W. Myers, for Applicant.

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

John M. Helmick, for H. C. Venable, Protes-
tant.

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

Phil Jacobson, for Hamo & Semonian, Protes-
tants.

H. W. Blair and F. R. Carrell, for Bozoff
& Tarvoff, Protestants.

Richard T. Eddy, for W. R. Bennett and R. E.
Robson, Protestants.

BY THE COMMISSION:

O P I N I O N

J. M. Correia has made application to the Railroad Com-
mission for a certificate of public convenience and necessity to
operate milk truck freight service between Norwalk, Artesia,
Hynes, Clearwater and Los Angeles.

A public hearing herein was conducted by Examiner Wil-
liams at Los Angeles.

Applicant herein is one of a number of carriers serving the numerous dairies in the vicinity of the points mentioned. He serves 46 customers producing 500 cans of milk daily, which is transported twice daily an average distance of 20 miles to creameries at Los Angeles. Applicant has in use at the present time five trucks and one trailer, with a total capacity of twelve tons. For the most part his service is used by Portuguese dairymen, applicant himself being of that nationality. His business developed during the period when transportation of farm products was exempt from regulation under the provisions of the so-called Crittenden amendment to the Auto Transportation Act, and the testimony indicates that his service is still the choice of his patrons.

While protestants herein presented testimony showing some conflict with their own fields of operation, it must be borne in mind that only one protestant at the hearing was able to show that he had not himself taken advantage of the removal of regulation provided by the Crittenden amendment. This protestant was A. T. Spencer, operating in the Downey-Norwalk region. Applicant serves nine producers in the Norwalk region.

From all the testimony in this proceeding we believe applicant's service should be continued for the benefit of its patrons, subject to a restriction which will in future protect the operation of protestant A. T. Spencer.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the service

proposed by applicant herein, subject to the restriction hereinbefore referred to, and that a certificate therefor should be granted. An order accordingly will be entered.

O R D E R

J. M. Correia having made application to the Railroad Commission for a certificate of public convenience and necessity to operate milk truck freight service between Norwalk, Artesia, Hynes, Clearwater 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 applicant herein, for the transportation of milk, cream and dairy products between Norwalk, Artesia, Hynes, Clearwater and Los Angeles, and a return movement of dairy feed and supplies, over and along the following routes:

ROUTE NO. 1:

Leaves the station of applicant and proceeds west to Ocean Avenue, north on Ocean Avenue to Center, west on Center to Maple, thence east on Center to Michigan, thence north on Michigan to Washington, thence on East Washington to Ocean Avenue, thence south on Ocean Avenue to Jefferson, thence east on Jefferson about two blocks and return to Ocean, thence south on Ocean to Jackson, thence west on Jackson about one mile and return to Ocean, thence south on Ocean about one mile south of Artesia Street, and then returning by way of Ocean Avenue to Station.

ROUTE NO. 2:

Leaves station and proceeds east on Artesia to Galina, thence north on Galina to Lamirada Road, thence east on Lamirada Road to Palm Avenue,

Route No. 2 (Continued):

Thence west on Lamirada Road to Bloomfield, thence south on Bloomfield to Center, thence west on Center to Donk Road, thence south on Donk Road to Artesia Street, thence west on Artesia Street to Station.

ROUTE NO. 3:

Leaves Station and proceeds east on Artesia to Galina Street, thence north on Galina to Center, thence east on Center to Main Street of Artesia, thence south on Main Street of Artesia to Apple, thence west on Apple to Cypress, thence south on Cypress to Artesia Street, thence west on Artesia Street to Station.

ROUTE NO. 4:

Leaves Station and proceeds east on Artesia to Main Street of Artesia, thence south on Main Street of Artesia to Anaheim Road, thence east on Anaheim road to Bloomfield, thence north on Bloomfield to Anaheim Street, thence east on Anaheim Street about one mile from Bloomfield and return back to Bloomfield, thence north on Bloomfield to First Street of Artesia, thence west on First Street to Main Street of Artesia, thence north on Main Street to Artesia Boulevard, thence west on Artesia Boulevard to Station.

ROUTE NO. 5:

Leaves station and proceeds east on Artesia Boulevard to Main Street of Artesia, thence south on Main Street to First Street of Artesia, thence west on First Street to Cypress, thence north on Cypress to Orange, thence west on Orange about one mile and return to Cypress, thence south on Cypress to First Street, thence west on First Street to Palos Verdes, thence north on Palos Verdes to Artesia Boulevard, thence west on Artesia Boulevard to New York Avenue, thence north on New York Avenue 1½ miles and return to Artesia Boulevard, thence west on Artesia Boulevard to Station, and from said Station via Downey Road into Los Angeles;

PROVIDED, however, that applicant may assume no additional service at any point north of one-half mile south of the town of Norwalk; 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; 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 hereby 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 and after the date hereof.

Dated at San Francisco, California, this 7th
day of December 1925.

H. B. Brundage

C. H. Sealey

George D. Squires

Commissioners.