

Decision No. 15773

CALIFORNIA  
RAILROAD COMMISSION

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application )  
of ISAAC M. ARTEMIAN for certif- )  
icate of public convenience and )  
necessity to operate freight truck )  
service between dairy ranches near )  
Van Nuys, Lankershim and Burbank, )  
and creameries in Los Angeles. )

APPLICATION NO. 11161.

H. N. Blair, for Applicant.

F. R. Carrell, for H. E. Shrainer,  
Protestant.

BY THE COMMISSION:

O P I N I O N

Isaac M. Artemian has made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight truck service between dairy ranches near Van Nuys, Lankershim and Burbank, and creameries in Los Angeles.

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

Applicant proposes a service collecting and transporting milk from the San Fernando Valley, a portion of the city of Los Angeles, into Los Angeles, and, by amendment filed at the hearing, into Glendale and Burbank. He proposes two zones of operation, all in the city of Los Angeles, with different rates for each service and for the return of dairy feed. Applicant's

equipment consists of two trucks and one trailer, and he serves eight dairies shipping approximately 110 cans of milk daily to Los Angeles. Just prior to the hearing, demand was made upon him to deliver milk from some of his customers to points in Burbank and Glendale. Applicant admitted that he had not transported any milk to Glendale, but testified that he had been informed by customers that they were likely to ship there. At the time of the hearing he was transporting milk to Burbank for one dairy. His proposed rates to Burbank and Glendale are 5 cents less than to Los Angeles.

Applicant secured his business by purchase from one Marikan, who established it during the period when this class of transportation was exempt from regulation under the provisions of the so-called Crittenden Amendment to the Auto Transportation Act. Marikan succeeded E. D. Hall, who formerly operated under authority of this Commission, but whose certificates were cancelled by Decision No. 14666 because he had discontinued business.

The testimony of shippers using applicant's service was to the effect that it was satisfactory at the rates charged, and that they desired to have it continued.

The granting of the application was protested by F. W. Reed, successor in interest to E. E. Shrainger, on the ground that the service proposed by protestant was adequate for all purposes in Burbank and Glendale.

It appears from the record that applicant has not performed any service into Glendale, but that he has been required to deliver milk to Burbank, and the evidence is satisfying that a

certificate should be granted him for the purpose of continuing his business, and incidentally for delivering milk to the creamery at Burbank. All the milk transported by applicant originates in the city of Los Angeles and must be hauled through Burbank to reach the creameries in Los Angeles to which it is destined. Aside from applicant and protestant Reed, there are no carriers in the San Fernando Valley equipped with certificates for milk transportation, other service being performed by operators serving exclusively within the municipal limits of Los Angeles.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the service proposed by applicant, with the exception of Glendale as a destination, and an order granting a certificate therefor accordingly will be entered.

#### O R D E R

Isaac M. Artenian having made application to the Railroad Commission for a certificate of public convenience and necessity to operate freight truck service between dairy ranches near Van Nuys, Lankershim and Burbank, and creameries in Los Angeles, Burbank and Glendale, 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 an automobile truck service, as proposed by applicant herein, for the transportation of milk and dairy products from dairies in the city of Los Angeles, to Burbank,

and through Burbank via the San Fernando Road to creameries in the city of Los Angeles, with a return movement of dairy feed, over and along the following routes:

Zone 1: Commencing at the intersection of San Fernando Road and Alameda Street near Burbank, west on Alameda Street to California Street; south on California Street to Foot Hills; north on California to Magnolia Boulevard; west to Buena Vista; north to Central and Hollywood Way to Southern Pacific railroad tracks; south on North Sherman Way to Sherman Way; west to Fulton Street; south to Ventura Boulevard and east to Lankershim Boulevard at Universal City.

Zone 2: Commencing at the intersection of Fulton Street and Ventura Boulevard, north on Fulton Street to Sherman Way, west on Sherman Way to North Sherman Way; north to Southern Pacific railroad tracks; west to Woodley Avenue, south to Ventura Boulevard and east to Fulton Street;

provided, however, that applicant shall not receive any consignment for transportation or delivery south of Ventura Boulevard or its prolongation easterly to San Fernando Road, or north of the Southern Pacific railroad (Chatsworth Division); 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 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 21<sup>st</sup> day of December 1925.

H. P. ...

C. ...

George H. Squires

Leon Whitell  
Commissioners.