

Decision No. 15797

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of F. W. REED, successor in inter-)
est to E. E. SHRAINER, for cer-)
tificate of public convenience and)
necessity to operate automobile)
milk truck line service between Los)
Angeles, Glendale and dairy ranches)
in vicinity of Burbank, Lankershim,)
Van Nuys, San Fernando and Owens-)
mouth.)

ORIGINAL

APPLICATION NO. 11267

F. R. Carrell, for Applicant.

H. N. Blair and C. Warne, for
Isaac M. Arzenian, Protestant.

BY THE COMMISSION:

O P I N I O N

F. W. Reed, successor in interest to E. E. Shrainer, has made application to the Railroad Commission for a certificate of public convenience and necessity to operate automobile milk truck line service between Los Angeles, Glendale and dairy ranches in the vicinity of Burbank, Lankershim, Van Nuys, San Fernando and Owensmouth.

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

Originally the application herein was made in the name of E. E. Shrainer, who has conducted a milk transportation business in the San Fernando Valley for several years. Immediately

prior to the hearing herein Shrainer disposed of his equipment and business to F. W. Reed, and at the time of hearing was granted permission to substitute the name of F. W. Reed for his own. A copy of the agreement between the parties was filed at the hearing, showing that Reed had purchased all of the equipment of Shrainer for a consideration of \$12,000. So far as this transfer of interest is concerned, there appears to be no reason why it should not meet the approval of this Commission and Reed be substituted for Shrainer, as applicant herein.

The business which applicant Reed has purchased from Shrainer consists of the transportation of milk and dairy products from ranches in the San Fernando Valley, all of which is a part of the city of Los Angeles except the cities of San Fernando and Burbank. It appears, therefore, that applicant seeks authority to collect milk produced in the city of Los Angeles and deliver it to creameries at Burbank, Glendale and Los Angeles, using the San Fernando Road between Burbank and Los Angeles as his main line of operation.

We believe the testimony herein is sufficient to show that applicant should receive a certificate for this purpose. He is now serving 17 customers, producing about 285 cans of milk daily, which is transported an average distance of twenty-three miles to various creameries. Of the quantity produced, about 160 cans additional are transported to Burbank and about 240 cans to Glendale. The business has been long established and expanded considerably 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. Applicant Reed also had previously conducted a service under the exemption provided by the Crittenden Amendment, and by the purchase of Shrainer's interests has consolidated the two movements. His showing as to equipment, financial ability and experience required to properly conduct the business is sufficient, and we believe a certificate should be granted him as prayed for. An order granting the certificate accordingly will be entered.

O R D E R

F. W. Reed, successor in interest to E. E. Shrainer, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate an automobile milk truck line service between Los Angeles, Glendale and dairy ranches in the vicinity of Burbank, Lankershim, Van Nuys, San Fernando and Owensmouth, 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 applicant herein, for the transportation of milk, cream and dairy products between dairy ranches in that portion of the city of Los Angeles north of Ventura Boulevard and its prolongation easterly to the San Fernando Road, and the cities of Burbank, Glendale and Los Angeles, over and along the following route:

From any point in said city of Los Angeles to Burbank, thence south via the San Fernando Road to the city of Glendale, thence via San Fernando Road into the city of Los Angeles; 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 amended Exhibits "A" and "B" 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 29th day
of December 1925.

H. A. Bonadego
C. J. Seaver
George W. Quinn
Leon Whitehill
Commissioners.