

Decision No. 15943

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
J. PAULSEN for certificate of public
convenience and necessity authorizing
the operation of an automobile truck
line as a common carrier of freight
between Lower Lake, Kelseyville and
intermediate points and Hopland,
California.

Application No. 11213.

ORIGINAL

Chas. A. Beck, for Applicant.

G. H. Baker, for Claude E. Doty;
W. H. Hazel, for J. R. Martin and
Rutherford & McMahon;
W. J. Cummings, for Northwestern
Pacific Railroad Company;
C. E. Brown, for San Francisco-Napa
Calistoga Railway;
H. G. Crawford, for Chas. Kuppinger.

BY THE COMMISSION:

O P I N I O N

J. Paulsen has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck line as a common carrier of freight between Lower Lake and Kelseyville and intermediate points, particularly packing houses adjacent to Lower Lake and Kelseyville and points intermediate thereto, and for the transportation of packing house supplies from Hopland to the foregoing points.

A public hearing on this application was conducted by Examiner Satterwhite at Lakeport, the matter was submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with Exhibit "A" attached to said application and to operate one round trip each day, excepting Sundays, for the transportation of general commodities, and two round trips per day during the fruit season for the transportation of perishables, including packing house supplies, and to use the truck equipment described in paragraph 6 on page 2 of said application.

San Francisco-Napa & Calistoga Railway, Claude E. Doty, J. R. Martin, Rutherford & McMahon, Northwestern Pacific Railroad Company and Chas. Kuppinger protested the granting of said application.

Applicant offered little or no evidence to justify the authorization of his proposed truck service. He has been operating certain trucks, which he owns, for lumbering concerns in Mendocino and Humboldt counties, and it is his desire to use some of these trucks when idle during the fruit season in the territory proposed to be served by him. His testimony in this proceeding was the only evidence presented in favor of or in support of the proposed service, and was to the effect that a few shippers had told him there was need for his service. His investigation of the needs of his proposed additional service was limited to a few interviews with some shippers at Kelseyville and Lower Lake, as well as certain conversations with Mr. C. E. Doty, one of the protestants herein. His sole information as to movement of freight between Kelseyville and Hopland, being a portion of the territory which he proposes to serve, was obtained from Mr. Doty. He admitted having no data or definite knowledge as to the number of packing houses in the territory he wishes to serve or of the volume of freight traffic moving in and out of said

territory.

Applicant called two other witnesses, consisting of C. E. Doty and Chas. Kuppinger, appearing as protestants to said application. Mr. Doty operates an authorized truck service between Kelseyville and Hopland and Chas. Kuppinger operates an authorized truck service between Hopland and Lakeport. Both of these witnesses testified that there was no need at all for the proposed additional service of applicant.

Lee J. Stoddard, also a protestant operating a freight service between Kelseyville and Calistoga, appeared in his own behalf and testified to the effect that he was thoroughly familiar with the freight truck service in the district sought to be served by applicant and that he was rendering a satisfactory service and there was no need for the additional service of said applicant.

We have carefully considered all the evidence in this proceeding and are of the opinion that there is no public necessity for the proposed service of applicant and that the application should be denied.

O R D E R

A public hearing having been held in the above entitled application, the matter having been duly submitted and being now ready for decision,

IT IS HEREBY ORDERED that said application be and the same is hereby denied.

Dated at San Francisco, California, this 6th day of February, 1926.

H. P. ...
C. L. ...
...
Leon ...
Commissioners.