

Decision No. 16027

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
L. E. HUTSON for a certificate declaring)
that public convenience and necessity)
require the operation of an automobile) Application No. 12187
freight line between the City of Los Angeles)
and indeterminate points in Los Angeles)
Harbor in the Cities of Long Beach, Wilmington)
and San Pedro.)

Tanner, Odell & Taft, by Donald Odell, for applicant.

WHITSELL, Commissioner -

O P I N I O N

L. E. Hutson, by amended application herein, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an auto truck service for the transportation of garbage, fish remnants and offal, and commercial fertilizer between Los Angeles and Long Beach, Wilmington and San Pedro and intermediate points.

A public hearing was held at Los Angeles on February 10, 1926, at which time the matter was duly submitted and it is now ready for decision.

Applicant alleges that he is under contract with an operator of a commercial fertilizer plant to render transportation service as herein proposed; that said service is conducted in accordance with the requirements of the Los Angeles City Health Department; and that its continuance is essential to the health and welfare of the city.

A copy of the contract, rules, regulations, tariff of rates, time schedules and list of equipment offered in the proposed service are attached to and made a part of the application.

Applicant testified that he was under contract to transport fish offal and remnants, garbage and other animal by-products from Los Angeles Harbor points and Long Beach to a fertilizer plant at Los Angeles.

Shipments move every night except Sunday, and usually over the Harbor Truck Boulevard, although the Los Angeles City Health Department may direct a different routing. Other commodities such as bone, blood, intrates, sulphate of ammonia, cyanimate and commercial fertilizers for blending purposes are also hauled from the Harbor. Two trucks and a trailer are now owned and operated in this service with an additional truck on lease and additional equipment will be acquired as the demands of business require. The equipment used for this transportation cannot be used for the movement of other commodities.

Mr. James P. Kelly testified in support of the application. This witness is operating a commercial fertilizer plant and has a contract with applicant to do this hauling. The service rendered has been satisfactory and its continuance is a necessity.

Mr. John F. Nelson, Chief Meat and Fish Inspector for the Los Angeles City Health Department, testified in behalf of applicant that his department made daily inspections and required nightly transportation of fish offal, and other commodities proposed to be handled and as to the necessity for prompt movement. The present method of disposal of fish offal and remnants, as conducted by applicant, is both economical and satisfactory.

No protest was made against the granting of the desired certificate.

After full consideration of the evidence herein, I am of the opinion and hereby find as a fact that public convenience and necessity requires the operation of an automobile truck service as herein proposed in accordance with the conditions of the following order.

O R D E R

A public hearing having been held on the above entitled proceeding, the matter having been duly submitted, the Commission being now fully advised and basing its order upon the finding of fact as set forth in the opinion which precedes this order,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY
DECLARES that public convenience and necessity requires the
operation by L. E. Hutson of a motor truck line between Los
Angeles and Long Beach, Wilmington, San Pedro and intermediate
points, for the transportation of garbage, fish remnants and offal,
animal by-products and offal, and sacked commodities consisting
of bone, blood, nitrates, sulphate of ammonia, cyanimate, and
commercial fertilizer, over and along routes designated by the
Health Department of the City of Los Angeles and,

IT IS HEREBY ORDERED that a certificate of public convenience
and necessity be and the same hereby is granted, subject to the
following conditions:

- 1- Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof, and shall file, in duplicate, tariff of rates, rules and regulations and time schedules within a period of not to exceed twenty (20) days from date hereof, such tariff of rates, rules and regulations, and time schedules to be identical with those attached to the application herein, and/or acceptable to the Commission.
- 2- The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
- 3- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.
- 4- For all purposes, other than hereinabove stated, the effective date of this order shall be twenty (20) days from the date hereof.

The foregoing Opinion and Order are hereby approved and ordered
filed as the Opinion and Order of the Railroad Commission of the
State of California.

Dated at San Francisco, California, this 28th day of February,
1926.

W. B. Bondage
C. L. Sweeney
Leon Whitehill
COMMISSIONERS.