

Decision No. 16120

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
C. E. KIMBROUGH for a certificate of
public convenience and necessity for
an extension of his present service
(covered by C.R.C. Decision No.11285)
to additional intermediate points to
those now served by applicant by
automobile truck with light express
service as a common carrier of motion
picturefilms between Los Angeles,
California, and Riverside, California.
The additional intermediate points are
herein set forth.

Application No.11835

ORIGINAL

Warren E. Libby, for applicant.

WHITSELL, Commissioner -

OPINION

C. E. Kimbrough, in his application as amended, has petitioned the Railroad Commission for an order declaring that public convenience and necessity requires the extension of service now rendered under the authority conferred by this Commission's Decision No.11285 to include service to moving picture theatres at Alhambra, Monterey Park, Lamanda Park, Sierra Madre, Arcadia, Monrovia, Azusa, Glendora and Baldwin Park and intermediate points.

A public hearing was held at Los Angeles on February 24, 1926, at which time the matter was duly submitted.

Applicant alleges that he is now operating a service, similar to that for which authority is desired, between Los Angeles and Redlands and the intermediate points of Covina, Pomona, Chino, Ontario, Uplands, San Bernardino, Colton and Riverside, said service having been authorized by this Commission's Decision No.11285 on Application No.9020; that no other authorized carrier is rendering a like service in this territory; and that moving picture house operators have requested applicant to extend his service as herein applied for. Proposed tariffs of rates and time schedules are attached to the application.

Applicant C. E. Kimbrough testified that he had operated his present service under the authority granted in Decision No. 11285 since July 1923, and that at present two cars were used in the transportation of film and advertising matter. A daily round trip is made.

Moving picture films are picked up at Los Angeles from the various distributors and delivered to the theatres direct. When the film has been run for the last time at a particular house, applicant picks up the film and returns it to Los Angeles. When errors arise in bookings of film, applicant makes substitutional bookings in order that the show house may have a film to run.

The operators of show houses at the places to which it is desired to extend the present service have made request of applicant for the proposed extension. Some of these operators are now forced to transport their own film which is not economical.

Operators of show houses at Glendora and Azusa testified regarding the present unsatisfactory methods of receiving their films and were of the opinion that the proposed service would be more economical and satisfactory.

No protest was made against the granting of this application.

From the evidence herein I conclude and hereby find as a fact that public convenience and necessity require the operation of the extension of service as herein sought.

I recommend the following order:

O R D E R

A public hearing having been held on the above entitled application, the matter having been duly submitted and the Commission being now fully advised and basing its order on 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 require the

operation by C. E. Kimbrough of an automobile freight line for the transportation of moving picture films and advertising matter in connection with said films not as a new and separate operation but as an extension and in conjunction with the operative right now held by applicant under the terms and conditions contained in this Commission's Decision No. 11285, the additional service herein authorized being over and along the following route:

"via North Main Street and Mission Road from Los Angeles to Alhambra; thence via Main Street and Garfield Avenue to Monterey Park; thence via Garfield Avenue, Valley Boulevard and San Gabriel Boulevard to Lamanda Park; thence via Foothill Boulevard and Sierra Madre Avenue to Sierra Madre; thence via Central and Baldwin Avenues, Foothill Boulevard and Anita Avenue to Arcadia; thence via Huntington Drive and Foothill Boulevard to Azusa; thence via Foothill Boulevard to Glendora and Azusa; thence via Azusa Avenue and El Monte-Covina Road to Baldwin Park; thence via El Monte-Covina Road to Covina; thence via Lordsburg Road to Pomona; and thence over the route of the operative right as contained in this Commission's Decision No. 11285, and returning by the same identical route; serving show houses at Alhambra, Monterey Park, Lamanda Park, Sierra Madre, Arcadia, Monrovia, Azusa, Glendora and Baldwin Park, and places intermediate thereto, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby issued in accordance with the foregoing declaration and subject to the following conditions:

1- Applicant shall file within ten (10) days from date hereof his written acceptance of the certificate herein granted, and shall file, in duplicate, tariff of rates and time schedules within a period of not to exceed twenty (20) days from date hereof, such tariff of rates and time schedules to be identical with those contained in the amended application herein; and shall commence operation of said service within a period of not to exceed thirty (30) days from date hereof.

2- The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of this 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 this Commission.

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 8th day of March, 1926.

H. B. Randall
C. A. Avery

Leon O. Hill

COMMISSIONERS.