

ORIGINAL

Decision No. 16294

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of WHITTIER SELECT CITRUS ASSOCI-)
ATION, a corporation, for certifi-)
cate of public convenience and)
necessity to operate freight truck)
service for the transportation of)
packing house supplies and products)
between Whittier and San Pedro and)
Wilmington, also culls to Corona and)
smudge oil to growers.)

APPLICATION NO. 11666.

W. D. Stockdale, for Applicant.

D. W. Layne, for Pacific Electric
Railway Company, Protestant.

BY THE COMMISSION:

O P I N I O N

Whittier Select Citrus Association, a corporation, has made application to the Railroad Commission for a certificate of public convenience and necessity to operate a freight truck service for the transportation of freight and supplies to packing houses and their finished products to San Pedro and Wilmington (Los Angeles harbor district), also cull citrus fruits to Corona and smudge oil from various locations to the growers, all movements to begin or end at Whittier.

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

The applicant corporation includes in its membership the Whittier Citrus Association, the Whittier Orange and Lemon

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Association, the Leffingwell Citrus Association, the Rivera Fruit Association, the El Ranchito Citrus Association, the North Whittier Heights Association and the Murphy Oil Citrus Association. These associations are composed of citrus growers and each association maintains a packing house, from which shipments are made for ocean transportation via Los Angeles harbor. There is no direct truck service under certificate from this Commission between Whittier and Los Angeles harbor.

The applicant corporation owns four trucks and two trailers, with a maximum capacity of about 20 tons. The transportation to be conducted is upon demand only. The rates proposed for this service are 10 cents per box from Whittier to Wilmington and San Pedro, and 9 cents per box from Rivera. The service is available only when 50 boxes, or approximately two tons, are offered for transportation. The rate for transporting cull lemons between Whittier and Corona is fixed at \$2.50 per ton.

Applicant also sought authority to transport smudge oil from various refineries to growers, but from the testimony it appears that this is not a movement between fixed termini or over a regular route, and hence is not within the purview of the Auto Stage and Truck Transportation Act.

The protest of the Pacific Electric Railway Company was withdrawn when this protestant ascertained the nature and limitations of the service proposed by applicant.

According to the testimony of W. D. Stockdale, secretary and general manager of applicant corporation, the service has been performed for several seasons for the dif-

ferent packing houses, and the application herein was filed in order that there might not be any question as to the legality of the operation. We believe his testimony is satisfactory to show affirmatively the necessity for continuing the service for the benefit of a large number of citrus growers whose product in many emergencies must be transported rapidly and directly to the harbor for ocean shipment.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the operation of the service as proposed by applicant, except as to smudge oil, and that a certificate therefor should be granted. An order will be so entered.

O R D E R

Whittier Select Citrus Association, a corporation, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate a truck service for the transportation of freight and supplies to packing houses, and their finished products to San Pedro and Wilmington (Los Angeles harbor district), also cull citrus fruits to Corona and smudge oil from various locations to the growers, 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 freight truck service as proposed by applicant herein, for the transportation of packed citrus fruits

between citrus packing houses at Whittier and Rivera and Wilmington and San Pedro (portions of the city of Los Angeles), and of call lemons in lots of one ton or more between Whittier and Corona, over and along the following routes:

Via Rivera, Downey and Compton and Harbor Boulevard to Wilmington and San Pedro (Los Angeles harbor district); and

Via State Highway and Fullerton, Placentia and Santa Ana Canyon Road to Corona; 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, its 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 25th
day of March 1926.

H. B. Burdige

C. S. Sauer

Ernest J. ...

Commissioners.

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