

Decision No. 16406

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

K. OGANESOFF and T. OSKANOFF,)
a co-partnership,)
Applicants.)

APPLICATION NO. 11214.

ORIGINAL

M. G. Ferrahian, for Applicants.

Phil Jacobson, for Hamo & Semonian, Pro-
testants.

Robert E. Austin, for A. T. Spencer, Pro-
testant.

H. N. Blair and F. R. Carrell, for Bozoff
& Tarvoff, Protestants.

G. W. Myers, for J. M. Correia, Protestant.

Richard T. Eddy, for R. E. Robson and Aru-
tunian, Sahakian & Giegeroff, Protestants.

W. C. Snyder, for C. E. Snyder, Protestant.

BY THE COMMISSION:

O P I N I O N

K. Oganessoff and T. Oskanoff, co-partners, have made ap-
plication to the Railroad Commission for a certificate of public
convenience and necessity to operate motor freight service for
the transportation of milk, cream and dairy products between
Bellflower, Hynes, South Artesia and Clearwater, and Los Angeles,
and from the same points to Long Beach.

A public hearing herein was conducted by Examiner Wil-
liams at Los Angeles.

Applicants began operation under Decision No. 10351, dated April 25, 1922, and in their application herein set up that they have continuously since that time conducted the operation between the points named and Los Angeles. The testimony indicates, however, that during the period when the Crittenden Amendment was in effect, applicants deviated from the route and privileges attached to the certificate granted them under the decision above mentioned, and included in their operation the transportation of milk to Long Beach. Hence in the present proceeding they appear as applicants for a new certificate covering the operation established by them largely under the freedom attained when the transportation of farm products was exempt from regulation, and we believe they should be treated as applicants for a certificate de novo.

Applicants now serve 44 customers, producing approximately 400 cans of milk daily, which is transported to creameries at Los Angeles and Long Beach. Many of the shippers served by applicants were present at the hearing and testified as to the satisfactory character of the service rendered. A portion of the territory over which the operation of applicants has been conducted is served by other carriers, who have their own patrons, but we do not find in the testimony a showing sufficient to warrant the rejection of the applicants herein on the ground that the service maintained by other carriers is adequate and efficient.

The chief protestants, Bozoff & Tarvoff, operate from the territory sought by applicants into Long Beach, and there is no showing on their part that they should have the exclusive privilege of conducting this service in a large area intensively

devoted to dairying and possessing 200 or more dairies. Applicants have a large investment in equipment, which has been made during the past five years, and we believe the evidence herein justifies the continuance of their service, thus giving shippers a choice of carriers.

By amendment filed at the hearing without protest, applicants asked leave to perform similar service to the Brentwood Creamery, at 2652 Del Rey Avenue, in the County of Los Angeles, just outside the western limits of the city of Los Angeles, and to fix a rate of 20 cents a can from Bellflower, Hynes and Clearwater. Applicants have been performing this service for shippers whose milk has been allocated to this creamery by the Milk Producers' Association. There appears good reason why the added service should be authorized.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the operation of the service proposed by applicants, and an order granting a certificate therefor accordingly will be entered.

O R D E R

K. Ogenesoff and T. Oskanoff, co-partners, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate motor freight service for the transportation of milk, cream and other dairy products, and dairy supplies, between dairy ranches in the vicinity of Bellflower, Hynes, South Artesia and Clearwater, and Los Angeles and Long Beach, 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 motor freight service as proposed by appli-
cants herein, for the transportation of milk, cream and other
dairy products, and dairy supplies, between ranches in the
vicinity of Bellflower, Hynes, South Artesia and Clearwater,
and Los Angeles, and also to the Brentwood Creamery at 2652
Del Rey Avenue, County of Los Angeles, over and along the fol-
lowing routes:

Beginning at State Street and Atlantic Ave-
nue, east on State Street to Michigan Avenue,
four blocks north on Michigan Avenue, two blocks
west of Michigan Avenue, then back to State Street,
east on State Street to Ocean Avenue, south on
Ocean Avenue to Washington Street, east on Wash-
ington to Woodruff Avenue, south on Woodruff
Avenue to Center Street, east on Center Street to
Chicago Avenue, south on Chicago Avenue to Palo
Verde Avenue and to First Street, west on First
Street to Somerset Avenue, to Montana Ranch, north
on Somerset Avenue to Rose Avenue, west on Rose
Avenue to Clark Street, north on Clark Street to
Artesia Avenue, north on Artesia Avenue to Maple
Avenue, north on Maple Avenue to Lincoln Street,
four blocks west on Lincoln Street, then back to
Maple Avenue and north on Maple Avenue to State
Street, serving intermediate points within the
said territory (all within the boundaries of Bell-
flower, Hynes, Clearwater and South Artesia) into
the city of Los Angeles; also, via Slauson Avenue
to the Brentwood Creamery at 2652 Del Rey Avenue,
County of Los Angeles.

Also, from that territory bounded by Palo Verde
Avenue on the east, New York Avenue on the west, Washington
Street on the north and First Street on the south, to Long
Beach over and along the following route:

Via Ocean Avenue between termini; 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. Applicants shall file with this Commission, within twenty (20) days from date hereof, their written acceptance of the certificate herein granted; shall file, in duplicate, time schedules and tariff of rates 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 herein 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 applicants under the authority hereby granted unless such vehicle is owned or is leased by applicants 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 5th
day of April 1926.

H. P. Rindge
C. A. Avery
Edward J. ...
Leon ...

Commissioners.