

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
B. F. MORRIS and MILTON FISHER, part-
ners, doing business under the name
of Morris Draying Company for a cer-
tificate of public convenience and
necessity to operate automobile trucks
as a common carrier of asparagus from
Libby's Canal Ranch in San Joaquin
County on the Mokelumne River to the
canneries of Libby, McNeill & Libby
located at Locke, Ryde and Isleton.

Application No. 12367

ORIGINAL

W. W. Kergan, for Applicant.

H. H. Sanborn, of Sanborn & Roehl, for
Hunt, Hatch & Company.

BY THE COMMISSION:

O P I N I O N

B. F. Morris and Milton Fisher have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an automobile truck service as a common carrier of asparagus from Libby's Canal Ranch in San Joaquin County to the canneries of Libby, McNeill & Libby located at Locke, Ryde and Isleton.

A public hearing in this application was conducted before Examiner Satterwhite at Oakland, the matter was submitted and is now ready for decision.

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Applicants propose to charge rates and to operate on a time schedule in accordance with Exhibits A and B, attached to said application, and to use the equipment described in Exhibit C attached thereto.

The testimony shows that said applicants since January, 1918, have made a specialty of the hauling of fruits and vegetables and other farm products to canneries located in Alameda County and that, by reason of their efficient service, they have secured a contract with Libby, McNeill & Libby to haul all the asparagus produced in the season of 1926 on the ranch known as the Libby's Canal Ranch located in San Joaquin County to the canneries of said Libby, McNeill & Libby. The asparagus season ordinarily opens in March and closes in July and at the present time there is no service rendered Libby, McNeill & Libby such as said applicants have contracted for and are equipped to give. Applicants are in a position to personally supervise the transportation of said asparagus from Libby's Canal Ranch to these various designated canneries, within one hour and thirty minutes after said asparagus has been loaded on applicants' trucks.

No one protested the granting of said application.

After a careful consideration of the evidence, we are of the opinion that the application should be granted.

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,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require the operation by B. F. Morris and Milton Fisher of an automobile truck service as a common carrier of asparagus from Libby's Canal Ranch in San Joaquin County to the canneries of Libby, McNeill & Libby located at Locke, Ryde and Isleton.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said B. F. Morris and Milton Fisher for the operation of the service hereinabove described, subject to the conditions hereinafter set forth, to-wit:

1. Applicants shall file their written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; 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 attached to the 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 the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
3. No vehicle may be operated by applicants herein unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

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For all other purposes, except as hereinabove stated,
the effective date of this order shall be twenty (20) days
from the date hereof.

Dated at San Francisco, California, this 17th day
of April, 1926.

H. B. Brundage
J. L. Lewis
Frederick W. W. W. W.
Leon A. Whill

Commissioners.

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