

Decision No. 16541

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application )  
of J. N. ANDERSON for certificate )  
of public convenience and necessity )  
to operate a freight and special )  
messenger film service between Long )  
Beach, Wilmington, San Pedro, Lomita, )  
Gardena, Compton and Los Angeles, )  
and intermediate points. )

APPLICATION NO. 12482.

ORIGINAL

Edgar C. Smith, for Applicant.

Phil Jacobson, for City Transfer &  
Storage Company, Protestant.

BY THE COMMISSION:

O P I N I O N

J. N. Anderson has made application to the Railroad Commission for a certificate of public convenience and necessity to operate a freight and special messenger film service between Long Beach, Wilmington, San Pedro, Lomita, Gardena, Compton and Los Angeles, and intermediate points.

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

Applicant proposes the transportation by auto truck of films and theater accessories between Long Beach and Los Angeles and intermediate points, with one or two departures from the main route to be traveled. He testified that he had been in

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the motion picture industry for fourteen years, in practically every capacity, and that the special film service for which he now seeks a certificate was established by him in a small way in 1921, and had grown to such proportions that at the time of hearing he was serving between 55 and 60 exhibitors from 20 or more film exchanges in the city of Los Angeles. It appears that in January, 1926, applicant was advised that the operation he had been conducting was in violation of the Auto Stage and Truck Transportation Act, whereupon he leased his equipment to the Tolson Transportation Company, with headquarters at Torrance, and has since, as an employe of this company, conducted the business without change from its previous character or rates. This lease (a copy of which was filed in this proceeding) seems to be regular, but applicant was mistaken in believing that the Tolson Company was authorized, under its certificate from this Commission, to perform the same service that applicant had been performing, and to all the same points. The leasing arrangement with the Tolson Company was not a proper step toward rectifying the previous inattention of applicant to his duty.

Applicant proposes to use, as equipment in this service, two small trucks, and to perform service at the rates shown in his Exhibit "A", on schedules as shown in his Exhibit "B". He testified that he is worth about \$150,000 at the present time and amply able to finance any enlargement of the service that may become necessary.

The testimony indicates that the service conducted by applicant has been one peculiarly adapted to the emergency needs of the motion picture exhibition business, and that his thorough

understanding of all the details in connection with this business has enabled him to provide a service, in addition to mere transportation, which apparently is not within the range of other carriers. It is necessary in this industry that films be exchanged promptly between exhibitors through the medium of exchanges, and for this reason the transportation service employed must be alert and prepared to transport films promptly from one place to another - a service which the ordinary general operator cannot perform because of his scheduled pick-up for other classes of commodities. It was the testimony of applicant and his witnesses that the motion picture industry is able and willing to pay a premium upon such expedited service.

Applicant seeks authority to transport not only films, but also theater accessories, which he defined to be parts of projecting machinery, advertising matter, janitors' supplies, electrical lighting effects, advertising slides and tickets. While applicant felt that janitors' supplies, such as brooms, disinfectants and sweeping sawdust, should be included in his list of accessories, witnesses for the various theaters did not so regard such commodities.

Applicant was supported in his application by John R. Sartain and A. L. Paquette, managers of theaters at San Pedro; Milton B. Arthur, manager of the Far West Theater Corporation of Long Beach; M. E. Hennes, manager of picture exhibition houses at Lynwood and Compton, and Esca Wilson of Los Angeles, president of the Standard Motion Picture Service, which deals exclusively in film displays (non-theatrical productions) for schools, churches and private entertainments. It was the tes-

timony of these witnesses that the service sought to be performed by applicant, and which has been performed by him in the past, is of extreme value to exchange members and theaters alike, and that applicant, being peculiarly fitted to handle such business by reason of his experience, performs a service which is an assurance to exchanges and distributors of regularity and certainty in their business affairs.

While the granting of the application met nominal protest from the City Transfer & Storage Company of Long Beach, this protestant introduced no testimony in support of its opposition.

We believe it is affirmatively shown by the testimony herein that the service heretofore established and now conducted by applicant is one required by public necessity, and that a certificate should be granted authorizing the continuance of the same, for the transportation of theatrical and non-theatrical films and motion picture theater accessories, with the exception of articles of merchandise not necessary or incidental to the exhibition of pictures. An order granting a certificate, with this limitation, will accordingly be entered.

#### O R D E R

J. N. Anderson having made application to the Railroad Commission for a certificate of public convenience and necessity to operate a freight and special messenger film service between Long Beach, Wilmington, San Pedro, Lomita, Gardena, Compton and Los Angeles, and intermediate points, 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 an automobile truck service as proposed by applicant herein, between Long Beach, Wilmington, San Pedro, Lomita, Torrance, Compton, Gardena, Lynwood, Home Gardens and Huntington Park, and Los Angeles, and intermediate points, as a special messenger film service for theaters, churches and schools where motion pictures are exhibited, and for the transportation of accessories necessary or incidental to the exhibition of motion pictures, such accessories being limited to projecting machinery and parts therefor, advertising matter, electrical lighting effects, advertising slides and tickets, with a maximum limitation of 100 pounds on shipments from any one consignor to any one consignee, over and along the following routes:

1. San Pedro Truck Route: Truck starts from Long Beach and proceeds via Anaheim Road to Wilmington, where route begins:  
Leave Wilmington via Harbor Boulevard to San Pedro; leave San Pedro going via Gaffey Street to Lomita; from Lomita via southern prolongation of Western Avenue to Torrance; from Torrance via Western Avenue to Gardena; from Gardena via Harbor Boulevard to Main Street of Compton, to Compton; from Compton via Alameda Street to Main Street of Willowbrook, to Willowbrook; from Willowbrook via Main Street east to Alameda Street, thence north on Alameda Street to Watts; from Watts north on Rossella Avenue to Graham; from Graham west on Manchester Avenue to Compton Avenue, then north on Compton Avenue to Nadeau Street, then east on Nadeau Street to Nadeau; from Nadeau west on Nadeau Street to Compton Avenue, then north on Compton Avenue to Los Angeles city limits.

- (2) Long Beach Truck Route:  
Leave Long Beach going north via Long Beach Boulevard to Lynwood, from Lynwood north via Long Beach Boulevard to Tweedy Boulevard, thence on Tweedy Boulevard to Home Gardens; leave Home Gardens going via Main Street of South Gate to South Gate; leave South Gate via Long Beach Boulevard to Walnut Park; leave Walnut Park, going via Long Beach Boulevard to Huntington Park; leave Huntington Park, going via and east on Baker Street to Bell; leave Bell, going north on Atlantic Boulevard to Maywood; leave Maywood going east on Slauson Avenue to Downey Road, thence north on Downey Road to Los Angeles city limits; 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 and after the date hereof, his 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 21st day of April 1926.

H. B. Brundage

O. C. Leavy

Ernest W. Root

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COMMISSIONERS.

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