

16546
Decision No. ~~12069~~

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
MARTIN RAMSEY for a certificate of)
public convenience and necessity to)
operate auto truck transportation)
service as a contract carrier between)
Los Angeles and Santa Barbara, Bakers-)
field, Mojave, Victorville, Banning,)
Elsinore, San Diego, Huntington Beach,)
Long Beach, Los Angeles Harbor, Santa)
Monica and intermediate points.)

APPLICATION NO. 12069.

ORIGINAL

Martin Ramsey, Applicant, in Propria Persona.

Phil Jacobson, for Rex Transfer and Keystone
Express, Protestants.

D. W. Layne, for Pacific Electric Railway Com-
pany, Protestant.

W. H. Sanson, for Motor Transit Company, Pro-
testant.

BY THE COMMISSION:

O P I N I O N

Martin Ramsey has made application as amended to the
Railroad Commission for a certificate of public convenience and
necessity to operate auto truck transportation service as a con-
tract carrier between Los Angeles and Santa Barbara, Bakers-
field, Mojave, Victorville, Banning, Elsinore, San Diego, Hunt-
ington Beach, Long Beach, Los Angeles Harbor, Santa Monica and
intermediate points.

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

Applicant has maintained a trucking service in the
city of Los Angeles for about three years, transporting lumber

and building materials only, without back-haul other than surplus or rejected material. He has devoted his service to the emergency needs of the Hammond Lumber Company, Vernon Lumber Company and Pacific Ready Cut Homes, having plants in the city of Los Angeles and the contiguous city of Vernon. He employs one truck and one trailer, with a combined capacity of approximately 10 tons. The service is performed on demand only, at a rate of \$3.00 per hour for the truck and \$1.00 per hour for the trailer.

Applicant testified that during his period of service he had transported lumber and building materials over nearly all of the routes specified in his application. The routes to be traversed are stated in his amended application, and applicant asks in this amendment to be permitted to receive or deliver shipments within 15 miles on either side of the highways traversed.

Applicant produced as witnesses in support of his application, A. E. Risse, traffic manager of the Pacific Ready Cut Homes, Edward A. Walker, shipping clerk in the lumber department of the Hammond Lumber Company, and Warren W. Herron, city salesman for the Vernon Lumber Company. It was the testimony of these witnesses that each of the companies possesses equipment of its own for delivery purposes and uses applicant's service only when shipments exceed the capacity of its own vehicles or are destined to points so far distant that it is not desired to send the company's vehicles. Each testified that applicant's service had been extremely satisfactory. Applicant formerly was employed by one of the companies and is skilled in the handling of lumber and building materials. These witnesses also testi-

fied that applicant's service is especially beneficial to consignees who require expeditious delivery of materials in small quantities.

The application was amended before submission to include deliveries to and from the city of Vernon.

The granting of the application was protested by the Rex Transfer, Keystone Express and Motor Transit Company. At the conclusion of the testimony, protests of the Rex Transfer and Keystone Express were withdrawn.

Protestant Motor Transit Company maintains freight service between San Bernardino and the upper regions of the San Bernardino mountains, including Arrowhead, and also maintains service between Hemet and San Jacinto and the upper regions of the San Jacinto mountains, including Idyllwild and Keen Camp. This protestant urged that its service be required for all consignments entering the mountains. It was the testimony of applicant, however, that he had in the past transported lumber and ready-cut materials to the mountains, and that his patrons expected him to conduct this service. In view of the fact that it would be necessary to transfer shipments at either Redlands or San Bernardino, or Hemet or San Jacinto, to the vehicles of this protestant, and the further fact that protestant conducts no service to the point of origin of such shipments, it does not appear reasonable to restrict applicant's operation to terminals where protestant's service originates, even though protestant agrees to assume the cost of rehandling at its terminals.

We believe applicant has made an affirmative showing of the usefulness and necessity of the service he proposes to

conduct. In addition, he has signified a desire to submit his operation to the regulation of this Commission under the Auto Stage and Truck Transportation Act.

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

O R D E R

Martin Ramsey having made application to the Railroad Commission for a certificate of public convenience and necessity to operate auto truck transportation service as a contract carrier between Los Angeles and Santa Barbara, Bakersfield, Mojave, Victorville, Banning, Elsinore, San Diego, Huntington Beach, Long Beach, Vernon, Los Angeles Harbor, Santa Monica and intermediate points, with right to pick up or deliver freight at any intermediate point within a radius of 15 miles on either side of the main highways traversed, 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 auto truck service as proposed by applicant herein, for the transportation of lumber and building materials only between the plants of the Hammond Lumber Company, Vernon Lumber Company and Pacific Ready Cut Homes in the city of Los An-

geles and in the city of Vernon, and Santa Barbara, Bakersfield, Mojave, Victorville, Banning, Elsinore, San Diego, Huntington Beach, Long Beach, Vernon, Los Angeles Harbor, Redondo Beach and Santa Monica, and intermediate points, with right of pick up and delivery within 15 miles on either side of the main highways traversed, and for no other service, over and along the following routes:

1. To Santa Barbara via Calabasas and Coast Route. To Ventura via Santa Susanna, also via Saugus and Fillmore.
2. To Bakersfield via Ridge Route.
3. To Mojave via Lancaster.
4. To Victorville via Foothill Boulevard and Cajon Pass.
5. To Banning via Valley Boulevard, Riverside and Box Springs Grade.
6. To Elsinore via Valley Boulevard and Riverside.
7. To San Diego via Whittier Boulevard and Santa Ana.
8. To Huntington Beach via Long Beach Boulevard and Long Beach.
9. To Los Angeles Harbor District via Harbor Truck Boulevard.
10. To Redondo Beach via Redondo Boulevard.
11. To Santa Monica via Santa Monica Boulevard,

returning by identically the same routes; 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, 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 as-

signed, 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 23^d day of April 1926.

H. B. Brundage

O. C. Stearns

E. M. Woodruff

COMMISSIONERS.