

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CARL INGALLS for certificate of public
convenience and necessity to operate
freight truck service between Bakers-
field and Taft.

Application No. 11129.

ORIGINAL

Fredericks & Hanna, by Clay Robbins,
for Applicant.
L. N. Bradshaw, for Southern Pacific Company,
Protestant.
M. Thompson, for American Railway Express Company,
Protestant.
E. T. Lucey, for The A.T. & S.F. Railway Company,
Protestant.
F. M. Hodge and E. A. Rose, for San Joaquin &
Hodge Transportation Company.
C. F. Baker, for Joe Besone.

BY THE COMMISSION:

O P I N I O N

Carl Ingalls has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck line as a common carrier of theatrical scenery and theatrical baggage between Bakersfield and Taft.

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

Applicant proposes 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 therein.

The Southern Pacific Company, the American Railway Express Company and The Atchison, Topeka & Santa Fe Railway Company protested the granting of said application.

Applicant testified in his own behalf and called several witnesses in support of the application. The record shows that applicant has been the owner and operator of the

Commercial Transfer Company at Bakersfield for several years last past and in connection with this local transfer business has handled and transported continuously all theatrical scenery, paraphernalia and baggage for the theatrical companies arriving in Bakersfield and putting on theatrical performances at Taft. It was shown that little or none of this theatrical scenery or baggage has ever been handled by the rail carriers operating into Taft from Bakersfield.

The record shows that the Sunset Railway operates but one train daily in each direction between Bakersfield and Taft, leaving Bakersfield at about 10:40 a.m., except on Sundays, and leaving Taft about 1:30 p.m., which service is unsatisfactory and could not be used by theatrical companies, and for this reason it has always been necessary to transport all of this theatrical scenery and baggage by contract with truck companies.

The evidence shows that this theatrical scenery and baggage is always returned immediately to Bakersfield at the close of each performance at night and as a rule about three trips are made weekly. The equipment which applicant operates has been specially constructed and designed to handle this scenery and all paraphernalia used in connection with it.

After a careful consideration of all the evidence in this case, we are of the opinion and hereby find as a fact that public convenience and necessity require the proposed service by applicant and application should be granted.

O R D E R

A public hearing having been held in the above entitled application, the matter having been 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 Carl Ingalls of an automobile truck line as a
common carrier of theatrical scenery and theatrical baggage be-
tween Bakersfield and Taft.

IT IS HEREBY ORDERED that a certificate of public con-
venience and necessity for the foregoing service be and the same
is hereby granted, subject to the following conditions, to-wit:

1. Applicant shall file his 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 as-
signed unless the written consent of the Railroad Com-
mission to such discontinuance, sale, lease, transfer
or assignment has first been secured.
3. No vehicle may be operated by applicant herein unless
such vehicle is owned by said applicant or is leased
by him under a contract or agreement on a basis satis-
factory to the Railroad Commission.

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 10th day of

May, 1926.

J. H. Brundage
W. L. Sawyer
Leon Whitely
Commissioners.