

ORIGINAL

Decision No. 16712

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 ROBERT V. HARDIE for certificate of
 public convenience and necessity to
 operate auto truck service as a con-
 tract carrier between Glendale and
 various points in Southern California.)
) Application
) No. 12291

Robert V. Hardie, in propria persona,
 D. W. Layne and T. F. Hunter, for Southern Pacific
 Company and Pacific Electric Railway Company, Protestants.

WHITSELL, Commissioner -

OPINION

Robert V. Hardie has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of a motor truck service for the transportation of beverages for Sierra Club Beverage Company only, between Glendale and Venice, Pasadena, Long Beach, Santa Ana, San Bernardino, Pomona, San Diego, Santa Barbara and Ventura.

Public hearings on this application were held at Los Angeles, the matter was duly submitted and is now ready for decision.

Applicant testified that he was engaged in the general transfer business in and around Glendale and also operated the Glendale Interurban Express between Glendale and Los Angeles under the terms of a certificate granted by this Commission. The Sierra Club Beverage Company, located at Glendale, ships its products to various Southern California towns by its own trucks and when they are unable to handle all the business, applicant is called upon to make deliveries to various towns where the company maintains branches or distributors. The distribution in these towns is by other carriers. The company pays all transportation charges.

Applicant amended his petition so that 200 cases would be the minimum load with service to be rendered within 12 hours of the call or demand. The equipment consists of two trucks and two trailers which will be added to as the business requires.

The General Manager of the Sierra Club Beverage Company in his testimony confirmed that of applicant regarding service rendered and as to the need for its continuance. Applicant supplements their own fleet of 11 trucks, and during the summer season such supplemental service is in great demand. Rail facilities are used for shipments to the more distant points.

While two of the rail lines entered an appearance in this proceeding no protest was made to the granting of this application, and the record herein justifies, and I so find as a fact that public convenience and necessity require the granting of the desired certificate.

O R D E R

Public hearings having been held on the foregoing entitled proceeding, the matter having been duly submitted and being now ready for decision, the Commission being fully advised and basing its order upon the finding of fact as appearing in the Opinion which precedes this Order,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Robert V. Hardie of a motor truck service, on demand, between Glendale and Venice, Pasadena, Long Beach, Santa Ana, San Bernardino, Pomona, San Diego, Santa Barbara and Ventura for the transportation of beverages in cases and return of empty containers for Sierra Club Beverage Company, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted, subject to the following conditions:

1. Applicant shall file within a period of ten (10) days from date hereof his written acceptance of the certificate herein granted; shall file, in duplicate, tariff of rates and time schedules within a period of twenty (20) days from date hereof, such tariff of rates and time schedules to be identical with those attached to the amended application and/or acceptable to the Commission; and shall commence operation of the service herein authorized within a period of thirty (30) days from date hereof.

2. The rights and privileges herein authorized may not be sold, leased, assigned, transferred nor service thereunder discontinued unless the written consent of the Commission to such sale, lease, assignment, transfer or discontinuance of service has first been secured.

3- No vehicle may be operated under the terms of the certificate herein granted unless such vehicle is owned by applicant or is leased by him under a contract or agreement on a basis satisfactory to this Commission.

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

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 12th day of May, 1926.

H. B. Brundage

C. A. Seaver

Leon Whitell

COMMISSIONERS.