

Decision No. 17594

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application )  
of CITY TRANSFER AND STORAGE COM- )  
PANY for certificate of public con- )  
venience and necessity to operate )  
auto freight service between Long )  
Beach and various points as shown )  
in Exhibit "A" attached hereto. )

APPLICATION NO. 13187.

Richard T. Eddy, for Applicant.

Willis R. Osborn, for Pacific Electric Rail-  
way Company, Protestant.

Charles T. Rippey, for Tolson Transportation  
System, Protestant.

H. V. Boyer, for J. N. Anderson, Protestant.

Roy Lewis, for Zimmerman Bros., Protestants.

BY THE COMMISSION:

O P I N I O N

City Transfer and Storage Company has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by applicant of an auto freight service between Long Beach and various points as shown in Exhibit "A" attached to the application.

A public hearing herein was conducted by Examiner Williams at Long Beach.

J. R. Zimmerman, manager of applicant company, testified that the application was filed in response to the demand

of merchants and shippers of Long Beach, the Long Beach Chamber of Commerce through its transportation committee, and the Harbor Department of the city of Long Beach, for a method of distribution over an area that is commercially recognized as directly tributary to Long Beach, and partially over another area that is competitive between Long Beach and Los Angeles. He further testified that commercial and civic bodies, as well as shippers, have repeatedly urged the establishment of this service, but that until the construction of facilities at Long Beach harbor and the operation there of a number of active industries, applicant had not been satisfied that the business to be conducted would be of sufficient volume to prove profitable.

Roy O. Baldwin, manager of the highway department of the Long Beach Chamber of Commerce and formerly in its traffic department, corroborated Mr. Zimmerman's testimony. This witness testified that almost six years ago applicant was about to undertake the service now proposed, but abandoned the idea when the shipyards and certain canneries ceased operations and other commercial reverses occurred. Ever since then, according to witness, the transportation department of the Chamber of Commerce has been endeavoring to promote a distributing system effective directly between shipper and consignee, and this involves many points not served by any other carrier.

Charles A. Bland, transportation manager of the Long Beach Chamber of Commerce and consulting traffic manager of the Harbor Department of the city of Long Beach, expressed the view that with the enlargement of industrial activity and increase in population in and about Long Beach and the points to be served,

there existed a general as well as a specific need for the service proposed by applicant. This witness testified that the retail committee of the Chamber of Commerce and the Harbor Commission of Long Beach had, by official action, voted to approve the application herein.

Applicant also presented as witnesses in support of the application, J. E. Johnson, traffic manager of Buffum's Department Store; F. E. Maslin of The Wise Company department store; G. O. Tait of Curtis-Christenson, automobile parts and accessories; Clyde Hickman, plumbing and heating contractor and supply house; Harold Christenson, dealer in tires, rims and automobile parts; Bert Smith, automobile agency; J. E. Nicholls, wholesale leather and findings; Paul Barnes, tires; Frank Thorndike, printing establishment; M. Salisbury, of E. O. Melone Company, Ford agency; Hugh A. Marti of Marti Department Store; and E. S. Dible, manager of Barker Bros. (house furnishings) Long Beach branch.

A summary of the testimony of these witnesses establishes the fact that shippers of Long Beach now have no direct daily scheduled method, dependable in its character, of distributing a large volume of commodities over the two routes sought by applicant. One of these routes includes Wilmington, Harbor City, Lomita, Torrance, Moneta, Gardena, Compton and Watts, returning from Compton by way of Harbor Boulevard to Wilmington and Anaheim Road. The other route proceeds westwardly along the ocean shore to Huntington Beach, thence north, serving points between Huntington Beach and Garden Grove, thence proceeding westwardly, serving Stanton, Los Alamitos, Cypress, Artesia, Buena Park, Norwalk and Downey, returning via Clearwater

and Eynes over Cherry Avenue to Long Beach.

Applicant proposes to furnish daily service over these routes for the transportation of freight to and from Long Beach, with an initial schedule leaving Long Beach daily at 2:00 p. m. except Sundays and holidays. Preceding this scheduled operation applicant agrees to pick up shipments in the city of Long Beach. In addition, applicant agrees to make one mile on either side of the routes traversed, as shown by Exhibit "A", a free pick up and delivery zone. Applicant has assets of \$250,000 or more, and owns 63 pieces of automotive equipment, including 38 trucks.

Applicant now conducts a freight service between Los Angeles and Long Beach under proper authority from this Commission, but does not ask the merging of the proposed operation with the existing one; instead, a separate certificate is applied for.

While a number of protestants appeared to enter protest of record against the granting of this application, no testimony was offered except by protestant Zimmerman Bros., operating between Los Angeles and Long Beach, who participated in cross-examination and introduced their Tariff No. 2, effective October 15, 1926. This carrier serves Compton, both from Los Angeles and Long Beach, at substantially the same rates as proposed by applicant, and offers free pick-up within one mile of their Long Beach terminal. There was no showing that this protestant enjoys any movement between Long Beach and Compton. However, as the applicant herein proposes a definite daily scheduled service for a large area, which incidentally includes Compton, we believe

this protest is ineffective, in view of the showing of the particular need of Long Beach shippers.

We therefore find as a fact, upon the record herein, that public convenience and necessity require the establishment and operation by applicant City Transfer and Storage Company of automobile freight service between Long Beach and the various points shown in Exhibit "A" attached to the application. An order granting a certificate therefor will accordingly be entered.

#### O R D E R

City Transfer and Storage Company having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by applicant of an auto freight service between Long Beach and various points as shown in Exhibit "A" attached to the application, 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 establishment and operation by applicant City Transfer and Storage Company of an automobile service for the transportation of freight between Long Beach and Seal Beach, Sunset Beach, Huntington Beach, Talbert, Wintersburg, Bolsa, Westminster, Garden Grove, Stanton, Cypress, Los Alamitos, Buena Park, Norwalk, Artesia, Downey, Clearwater, Bellflower, Hynes, Signal Hill, Harbor City, Lomita, Torrance, Gardena, Compton and Watts, and intermediate

points, including one mile on either side of main highways traversed, over and along the following routes:

Route No. 1: From Long Beach via Anaheim Road to Wilmington, thence via Redondo Boulevard to Harbor City, thence via Narbonne Avenue to Torrance, thence via Western Avenue to Moneta and Gardena, thence via Main Street to Compton, thence via Truck Boulevard to Watts, returning to Long Beach via Truck Boulevard to Anaheim Road.

Route No. 2: From Long Beach via Coast Highway to Huntington Beach, thence by main county road to Garden Grove. (with diversion to Bolsa); thence via Stanton, Los Alamitos, Artesia, Buena Park to Norwalk and Downey, thence returning via Eynes, Clearwater and Cherry Avenue to Long Beach; 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 its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
- II. Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from date hereof, tariff of rates and time schedules, such tariff of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from date hereof.
- III. 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.
- IV. No vehicle may be operated by applicant herein under the authority hereby granted unless such vehicle is owned by said applicant or is leased by it 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 10<sup>th</sup> day of November 1926.

H. H. Boudreau

C. Seaver

Leon Whittell

COMMISSIONERS.