

Decision No. 17637

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of E. L. COLLETT for certificate
of public convenience and neces-
sity to operate auto truck service
between Long Beach and Wilmington
and between Long Beach and Davidson
City and ranches and dairies inter-
mediate thereto.

ORIGINAL

APPLICATION NO. 12533.

E. L. Collett, Applicant, in Propria Persona.

J. R. Zimmerman, for City Transfer & Storage
Company of Long Beach, Protestant.

BY THE COMMISSION:

O P I N I O N

E. L. Collett has made application to the Railroad Commission for a certificate of public convenience and necessity to operate auto truck service for the transportation of milk in cans between Long Beach and Wilmington and between Long Beach and Davidson City, and ranches and dairies intermediate thereto.

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

At the hearing applicant amended his application to include deliveries of milk to Los Angeles. Davidson City is an unincorporated region in the county of Los Angeles through which the Harbor Truck Boulevard passes. There are ranches in and

about this community which produce milk and ship the product to various markets.

Applicant began hauling milk over a year ago under the exemptions provided by the Crittenden Amendment to the Auto Stage and Truck Transportation Act. At the time of hearing he was transporting only twenty 10-gallon cans of milk daily, and was delivering only to the Wilmington district of Los Angeles, and to Long Beach. He explained, however, that re-allocation of the delivery of this milk by the Producers' Association might divert it to creameries in Los Angeles, and that he was the only carrier available for handling the deliveries. No other milk carrier is authorized to serve between Davidson City and Los Angeles.

Applicant proposes a rate of 12½ cents per 10-gallon can between Long Beach and Wilmington and 15 cents per can between Davidson City and Long Beach, and, by amendment, 17 cents from Davidson City to Los Angeles city proper. At the hearing applicant amended his application to make his rates apply to "10-gallon cans", and also to include one mile on either side of the highways traversed.

W. C. Delapp, manager of transportation for the Crescent Creamery at Long Beach and over this Company's entire system, including Los Angeles, testified that applicant had been transporting milk to the various creameries of the Company for more than a year, and that his service was efficient.

The protest of the City Transfer & Storage Company of Long Beach was withdrawn at the hearing, and no other protestant appeared.

We believe the showing made by applicant is sufficient to justify the granting of his application as amended, and an order will be entered accordingly.

O R D E R

E. L. Collett having made application to the Railroad Commission for a certificate of public convenience and necessity to operate auto truck service between Long Beach and Wilmington and between Long Beach and Davidson City, and ranches and dairies intermediate thereto, and, by amendment, between Davidson City and Los Angeles, 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, for the transportation of milk in cans, from ranches and dairies only, between Long Beach and Wilmington, Long Beach and Davidson City, and Davidson City and Los Angeles, with pick-up one mile on either side of the highways traversed, over and along the following routes:

Between Long Beach and Wilmington via Anaheim Street; between Long Beach and Davidson City via Anaheim Street and Truck Boulevard; between Davidson City and Los Angeles via Truck Boulevard; 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 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 18th
day of November 1926.

H. B. Rindge
C. Seaver
Emmett
Thos. J. Rowland
Commissioners.