

Public hearings on this application were held by Examiner Gannon at Sacramento and Jackson, the matter was submitted and is now ready for decision.

The evidence shows that the existing freight and express service is via the Southern Pacific from Sacramento to Ione, and thence via the Amador Central Railroad to Martell. From that point shipments are carried by truck to Jackson, Sutter Creek, Amador City, and various mining towns in the vicinity.

American Railway Express Company, protesting the application, introduced in evidence a passenger train schedule showing that express matter leaving Sacramento daily at 9:00 a.m. would reach Martell at 4:00 p.m. of the same day and be delivered at Jackson at 4:10 p.m., Sutter Creek at 4:10 p.m., and Amador City at 4:30 p.m.

The testimony indicates that less than carload shipments from Sacramento destined for points served from Martell would require trans-shipment at Galt and again at Ione, while carload shipments would go direct to Martell, the terminus of the Amador Central Railroad, and thence by truck to destination. It appears that the average time required for the delivery of such shipments is from four to five days, the distance between the points being approximately 52 miles.

E. T. Hops, Secretary of the applicant corporation, testified that he had spoken to a number of shippers who favored the establishment of the proposed service. An employe of the applicant corporation likewise testified that he had interviewed several merchants in Martell, Jackson and Sutter Creek, all of whom expressed themselves as desiring the proposed service. However, a number of these merchants testified at the Jackson hearing that they were not interviewed, and others that they had not expressed themselves as favoring the proposed service.

The Traffic Manager of Thomson-Diggs Company, a large wholesale hardware establishment of Sacramento, testified that the service sought would be advantageous to his firm, and a representative of the Merchants and Manufacturers Traffic Association stated, under oath, that he had been instructed to appear for the Association and urge that the certificate be granted.

At the adjourned hearing at Jackson applicant did not produce any witness favoring the establishment of the proposed service. There was, however, an abundance of testimony in opposition to the granting of a certificate in this instance. Four of the leading merchants of Sutter Creek and Jackson testified that the service now rendered by the Amador Central Railroad was entirely satisfactory and that they would not patronize the proposed truck service should such service be established. The record made by these witnesses shows that the Amador Central Railroad operates a daily service between Ione and Martell, handling freight shipments routed over the Southern Pacific to Ione, and that this service, in conjunction with established trucking facilities from Martell, is satisfactory. The superintendent of the Amador Central Railroad testified that the competition resulting from the establishment of the contemplated truck service would so materially diminish the revenues of the railroad that it would be forced to discontinue its present operation. According to the testimony of this witness the operating expenses of the railroad last year exceeded the operating revenues by over \$5000. The principal carload shipments out of the county consist of sulphites, clay, etc. from the mines, and it would be impracticable to make these shipments by truck.

One of the merchants testified that he has consigned to him every five weeks a carload of dynamite which, in his judgment, could scarcely be brought to the mines in the event the

railroad was forced to suspend operation.

All protestant witnesses testified to the probable effect of additional service upon the service of the existing railroad and upon the various communities affected. There appeared to be a strong and predominating conviction that as between railroad service and truck service the former was preferable but could not survive as against the competition of the latter.

The overwhelming weight of testimony in this proceeding indicates that the public convenience is now being served in a fairly satisfactory manner, that the establishment of an additional service is not a necessity at the present time and that it would reduce railroad patronage to such an extent as to probably result in the complete abandonment of the latter mode of transportation. There is no showing on behalf of the applicant that the present rail service is not fully adequate to care for all reasonable demands made upon it. A duplication of facilities between the points specified would result in weakening the ability of the existing authorized carrier to render the character of service now being offered to the public, and there is no evidence indicating any prospect for the immediate development of new business.

We have given careful consideration to all of the evidence in this proceeding and are of the opinion and hereby find as a fact that applicant has presented no evidence to justify the authorization of its proposed service between Sacramento and Jackson.

O R D E R

A public hearing having been held in the above entitled application, the matter having been duly submitted, the Commission being now fully advised, and basing its order on the findings of

fact which appear in the preceding opinion,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY
DECLARES that public convenience and necessity do not require the
proposed operation by Hops Sales Corporation of a truck service
for the transportation of freight of all kinds between Sacramento
and Jackson, and

IT IS HEREBY ORDERED that the application of the Hops
Sales Corporation be and the same is hereby denied.

Dated at San Francisco, California, this 26th day of

April 1927.

Ernest A. ...

H. B. ...

O. ...

Leon ...

W. ...

Commissioners.