

Decision No. 18405

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of I. J. McIntire, for extension
of Route allowed under Application
No. 13094, and for establishment
of rates for such new territory
to be served, and for re-arrange-
ment of schedules for the entire
territory served by Applicant.

ORIGINAL

Application No. 13682.

J. T. Houser for applicant.

BY THE COMMISSION:

O P I N I O N.

I. J. McIntyre has made application to the Railroad Commission for a certificate of public convenience and necessity to extend automobile truck service for the transportation of milk and dairy products and supplies between certain territory and the city of Long Beach.

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

Applicant now operates under Decision No. 17483, on Application No. 13094, a milk transportation service into Long Beach from an area northeast of Long Beach, roughly bounded by Cherry Avenue, Somerset Road, Anaheim Road and Los Alamitos Road. Applicant asks authority to extend this service westerly on Westminster Boulevard to Mimick Road, thence south to Talbert Boulevard, and over a highway south thereof one-half mile and return, and over Huntington Beach Boulevard, returning to Westminster.

In this area there are six dairymen producing approximately 75 cans of milk a day, which is delivered to creameries in Long Beach. Applicant desires this extension to become a part of his original service, and not as a new or separate route.

Because the extension requires an additional journey of 22 miles round-trip, applicant proposes a rate of 15¢ per can, which is 5¢ higher than the rate charged elsewhere in his territory. The rates on other products, however, remain the same. Applicant conducts his transportation with one truck and trailer, adequate in capacity for all his business.

H. D. McCoy and Mrs. C. D. Post, conducting dairies applicant proposes to serve, testified that the service proposed was needed by them and others, and that the rates were satisfactory. No other public carrier serves this district for deliveries to Long Beach.

It appears from the record that public necessity and convenience require this service proposed by applicant, and an order granting a certificate therefor will be entered.

O R D E R.

I. J. McIntyre having made application to the Railroad Commission of the State of California for a certificate of public convenience and necessity to operate auto truck service for the transportation of milk, cream, dairy products and dairy supplies between certain territory and the city of Long Beach, as an extension and enlargement of the present operations, 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

service proposed by applicant for the transportation of milk, cream, dairy products and dairy supplies between the area shown in the route attached hereto and Long Beach, over and along the following route:

From the juncture of Anaheim Road and Los Alamitos Road, south one mile to Westminster Boulevard; thence east six miles to Mimick Road; thence east from Mimick Road to R. Lang Dairy and return; thence south three miles to Zumthurn Dairy; thence retrace route one-quarter mile to Talbert Boulevard; thence west two miles to Huntington Beach Boulevard; thence north three miles to Westminster Boulevard; thence west to Los Alamitos Road; thence north to the point of beginning, and all territory embraced by said boundary, and continuing on the original route as allowed by said Railroad Commission; 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 as an extension and enlargement of his present operative rights, and not as a new or separate right.
- II. Applicant shall file, in duplicate, time schedules and tariff of rates within a period of not to exceed twenty (20) days from date hereof, such tariffs 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 the service herein authorized 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 under the authority herein granted unless

such vehicle is owned 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 the date hereof.

Dated at San Francisco, California, this 25th day of May, 1927.

Edmund Weerts
J. H. Brundage
C. S. Seaver
Thomas L. ...
Commissioners.