

Decision No. 18501

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
V. V. ANDERSON for a certificate of
public convenience and necessity to
operate a passenger, freight and
express service between Monticello,
California, and Sacramento, California,
as an extension of applicant's present
line, operating between Monticello and
Winters.

} Application No. 12298.
}

H. M. Ball, for Applicant.
W. S. Johnson and F. G. Eitzkorn, for Southern
Pacific Company, Protestant.
Sanborn & Roehl and DeLancey C. Smith, by
H. H. Sanborn, for River Auto Stages and
E. F. Gardner, Protestants.
W. L. Warner, for Winters Truck Company and
Sacramento Auto-Truck Company, Protestants.

BY THE COMMISSION:

O P I N I O N

V. V. Anderson has petitioned the Railroad Commission in accordance with his amended application for an order declaring that public convenience and necessity require the operation by him of an automobile truck line as a common carrier of freight and express between Monticello and Sacramento and intermediate points, provided, however, that applicant shall transport no freight or express locally between Winters and Sacramento.

Public hearings on this application were conducted before Examiner Satterwhite at Winters, the matter was submitted and is now ready for decision.

Applicant proposes to charge rates and to operate under a time schedule in accordance with Exhibits "A" and "B" attached to said application, and to use as equipment one-ton Graham truck.

Southern Pacific Company, River Auto Stages, E. F. Gardner, Winters Truck Company and Sacramento Auto-Truck Company

protested the granting of this application.

Applicant operates an authorized passenger, freight and express service between Monticello and Winters and desires to extend only his freight and express service to Sacramento.

Monticello is an unincorporated community of about 300 population and is the business center of an agricultural district which has considerably developed in the last few years. The nearest railroad point is at Winters, 19 miles distant, and the Monticello district is entirely dependent upon truck transportation facilities. The largest general merchandise store as well as other merchandise and produce stores at Monticello do a considerable part of their buying at Sacramento, and for several years last past applicant has, under private contracts, hauled a large part of these supplies to Winters direct from Sacramento. The tonnage has been of such material volume that applicant has made three or four trips weekly, and sometimes oftener, in the transportation of these goods and merchandise in compliance with the demands of his customers.

The record shows that on each trip applicant has hauled, as a rule, not less than two tons, and very frequently a much larger tonnage, often using a trailer on many of his trips. It appears that a substantial portion of the freight hauled from Sacramento by applicant consists of perishable goods, such as fruits, berries and vegetables, and ice cream, and also ice in large quantities, which require direct and expeditious transportation in order to minimize injury, loss and deterioration.

The evidence shows that the existing truck transportation facilities between Sacramento and Winters do not afford an expeditious or satisfactory service by reason of the fact that the Winters Truck Line arrives at Winters from Sacramento not earlier than 3:00 p.m., making no connection with either of the

authorized truck lines between Winters and Monticello, with the result that freight shipments lay over night at Winters, arriving at Monticello about noon the next day.

The testimony shows that these merchants who have employed the applicant to haul their supplies from Sacramento desire the proposed service, not only on the basis of an expedited service but for the reason that the perishable supplies arrive in a fresher and better condition and are more salable, as well as available for purchase at an earlier hour in the afternoon of the day of shipment from Sacramento.

None of the protestants offered any evidence in support of their protests.

After careful consideration of the evidence in this proceeding we are of the opinion that public necessity and convenience require the proposed extended service of applicant and that the application should be granted.

O R D E R

Public hearings having been held in the above entitled proceeding, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by V. V. Anderson of an automobile truck line as a common carrier of freight and express between Monticello and Sacramento and intermediate points, provided, however, that applicant shall transport no freight locally between Winters and Sacramento, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said V. V. Anderson for the operation of the service hereinabove

described, not as a new or separate service but in addition to applicant's present freight and passenger operative rights between Monticello and Winters, and subject to the following conditions:

1. Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
2. Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules, 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 said service within a period of not to exceed sixty (60) days from the date hereof.
3. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
4. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by him 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 13th day of June, 1927.

Ernest A. Coats
A. H. Brundage
C. S. Cheney
Leon C. Whitehall
Thos. S. Routledge
Commissioners.