

Decision No. 18526

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

This is in the matter of the application of JOSEPH K. HAWKINS for a certificate permitting him to operate an automobile truck service for the hauling of certain commodities between the Pomona, Chino, Wineville District, and Pasadena.

APPLICATION NO. 13431.

Phil Jacobson, for Applicant.

Richard T. Eddy, for Shakarian et al,
Interested Parties.

L. R. Everett, for The Atchison, Topeka
& Santa Fe Railway System, Protestant.

BY THE COMMISSION:

O P I N I O N

Joseph K. Hawkins, operating under authority from this Commission a truck service for the transportation of milk, dairy products, dairy feed and supplies between certain districts in and about Pomona, Ontario, Chino and Wineville, seeks authority to transport milk and dairy products from this district to Pasadena, as an extension of his present service to El Monte and Los Angeles.

A public hearing herein was conducted by Examiner Williams at Ontario, at which time the matter was duly submitted and now is ready for decision.

It appears that applicant Hawkins has been called upon to deliver to the Crescent Creamery at Pasadena approximately eighty cans of milk daily. This milk, produced by ten or

more dairies, formerly was delivered by applicant to creameries in Los Angeles, but was reallocated by the California Milk Producers' Association to the Pasadena creamery. Since the milk has been thus diverted, applicant has made the daily deliveries pending action upon his application for certificate, there being no other carrier available.

W. C. DeLapp, field manager for the Crescent Creamery, testified that the service of applicant had been satisfactory to the shippers and to the creamery.

While the granting of the application was protested by the Santa Fe Railway, no testimony was introduced in support of the protest, nor did the applicants in Application No. 13526 of Shakarian and others introduce adverse testimony.

It appears from the showing made by applicant that the service performed is necessary for ten or more particular shippers whose product moves to this creamery, and that applicant should receive a certificate authorizing the extension of his service to Pasadena over the route shown in his application and at the rates shown in his Exhibit "A" attached to the application.

O R D E R

Joseph K. Hawkins having made application to the Railroad Commission for a certificate permitting him to enlarge and extend the automobile truck service now conducted by him under Decision No. 15775 on Application No. 11240, between Pomona, Chino, Ontario and Wineville district, and Pasadena, 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 an extension of applicant's present service
between the area described in Decision No. 15775 and Pasadena,
over and along the following route:

Via Valley Boulevard to San Gabriel Boulevard,
thence north on San Gabriel Boulevard to Colorado Street,
thence west on Colorado Street to the city of Pasadena; and

IT IS HEREBY ORDERED that a certificate of public
convenience and necessity for said service be and the same
is hereby granted to said applicant Joseph K. Hawkins, sub-
ject 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 by applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all purposes other than as hereinbefore mentioned, the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 20th
day of January 1927.

Frank W. Hoats
H. B. Roundige
C. Seaver
Leon Whelpley
Thos. S. Rutter
COMMISSIONERS.