

Decision No. 19586

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of JAMES T. AGAJANIAN for certificate of public convenience and necessity to operate freight truck service between dairy ranches in vicinity of Arlington, Riverside, Colton and intermediate points to creameries in San Bernardino.

ORIGINAL

APPLICATION NO. 14262

James T. Agajanian, in propria persona

BY THE COMMISSION:

OPINION

James T. Agajanian has applied for a certificate of public convenience and necessity to establish service for the transportation of milk and dairy products between Arlington, Riverside, Colton and intermediate points to creameries in San Bernardino. Applicant proposes no service north of Mill Street in Colton, the territory north of Mill Street being served by Edward Bahler.

A public hearing herein was conducted by Examiner Williams at Riverside.

According to the testimony of the applicant, there are at present about six shippers of milk south of Mill Street in the region of Arlington, Colton and east of Corona

who are shipping approximately forty-five to fifty 10-gallon cans daily to creameries in San Bernardino, and that other creameries shipping approximately twenty cans additional per day would divert their shipments to San Bernardino if service is provided. The road and districts to be served by applicant form an eastern extension of his present service between the same districts and Los Angeles. Applicant proposes to establish a rate of 20¢ per can on all milk so transported, and to pick up within three miles on either side of the roads traversed. The diversion of the milk is caused by the demands of creameries in San Bernardino and by the allocation plans of the California Milk Producers Association. At the hearing, applicant amended his rate schedules to provide a rate of 10¢ per can for delivery at Riverside, and 15¢ a can from Prado to Riverside, providing the milk is delivered to creameries in that city.

Applicant produced no witnesses other than himself, and no one appeared to oppose the application, and the records of the Commission show there is no carrier in this district offering public service between the district and Riverside or San Bernardino. There appears no reason why the application should not be granted.

O R D E R

James T. Agajanian having made application to the Railroad Commission for a certificate of public convenience and necessity to establish automobile truck service for the transportation of milk between Riverside, Arlington and

Colton and San Bernardino, a public hearing having been held, and the matter having been duly submitted,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the establishment of service as proposed by applicant herein over and along the following route:

Commencing at corner of McKinley Street and Magnolia Ave., Riverside, on route now operated; thence east on Magnolia to Market St., north on Market to First St., east on First St. to La Cadena Drive, north on La Cadena Drive to Colton and Eighth St., north on Eighth to F St., and east to Tenth St., thence via Tenth St., Colton Ave., E. Street and Third Street to San Bernardino, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be, and the same hereby is, issued as an extension and enlargement of applicant's present service between Los Angeles, Riverside and Arlington, subject to the following conditions:

1. Applicant shall file with this Commission, within a period of not to exceed ten (10) 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.
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 12th
day of April, 1928.

Leon White

C. Seamy

Ernest

Thos. D. Loutch

W. J. Carr

Commissioners