

Decision No. 12727

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
 ALLEN & REESE STAGES, for certificate  
 of public convenience and necessity  
 to operate express service between  
 Fresno and Sanger, California.

) Application No. 14414.

Henry Eawson, for Applicant.

BY THE COMMISSION:

O P I N I O N

Carl C. Allen and J. M. Reese, doing business under the firm name of Allen & Reese Stages, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the transportation of express matter on the passenger stages operated by them between Fresno and Sanger and intermediate points.

Applicants propose to charge rates in accordance with Exhibit "A" attached to said application, but propose to carry no package or parcel weighing in excess of 100 pounds. Applicants propose to operate upon a time schedule in accordance with Exhibit "B" which shows that nine round trips will be made daily between the points proposed to be served. Applicants propose to use the equipment described in Exhibit "C" attached to said application.

A public hearing on said application was conducted by Examiner Satterwhite at Fresno on April 5th, the matter was submitted and is now ready for decision.

No one appeared in opposition to the granting of said application.

Carl C. Allen testified in his own behalf and called several witnesses, consisting of merchants and business men at Fresno and Sanger, in support of said application.

The evidence shows that there is practically an unanimous demand among the merchants of Sanger for this proposed express service. Fresno is a purchasing center for these merchants and there are at present no satisfactory transportation facilities for rapid and emergency shipment of parcels and packages weighing less than 100 pounds. The testimony shows that shipments will consist mainly of automobile repair parts, tires, newspapers, news letters, pay-rolls of fruit companies, photographs, and dental supplies, and special orders of ice cream, and other perishable goods.

Mr. G. Johnson, Secretary of the Chamber of Commerce of Sanger, appeared at the hearing and offered in evidence a resolution of this civic organization endorsing this proposed express service.

The Southern Pacific Company operates only one train a day each way, leaving Sanger at about 10:50 a.m. for Fresno and arriving from Fresno at 7:40 p.m. The Triangle Transfer Company also operates a freight truck line between these points, but offers only one schedule a day which it appears is inadequate to meet the demands for emergency shipments desired by the Fresno and Sanger merchants.

We have carefully considered all the evidence in this proceeding and we are of the opinion and hereby find as a fact that

public convenience and necessity require the proposed express service, and that the application should be granted.

O R D E R

A public hearing 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 Allen & Reese of an automotive express service between Fresno and Sanger and intermediate points, said express matter to be limited to packages weighing not more than 100 pounds, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said Carl C. Allen and J. M. Reese, doing business under the firm name of Allen & Reese Stages, for the operation of the service hereinabove described, subject to the following conditions:

1. No express matter shall be transported in vehicles other than the passenger stages operated by Allen & Reese and no authority is herein granted for the linking up of the express service herein authorized with the Fresno-Del Rey service of Allen & Reese.
2. Applicants shall file their written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
3. Applicants 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.
4. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned

consent  
unless the written/of the Railroad Commission to such  
discontinuance, sale, lease, transfer or assignment has  
first been secured.

5. No vehicle may be operated by applicants herein unless  
such vehicle is owned by said applicants or is leased  
by them under a contract or agreement on a basis sat-  
isfactory to the Railroad Commission.

The effective date of this order shall be twenty (20) days  
from the date hereof.

Dated at San Francisco, California, this 9<sup>th</sup> day of  
May, 1928.

Leon Whittell  
Attest  
Edmund  
W. J. Carr  
Commissioners.