

Decision No. 21080.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Supplementary
application of K. M. STEVENSON and
PAUL SCHAFFER, doing business under
the fictitious name of the VICTORVILLE
MOTOR EXPRESS.

} Application No. 10195
(Supplementary)

Phil Jacobson for Applicant.

BY THE COMMISSION:

O P I N I O N

This is a supplementary application by K. M. Stevenson and Paul Shafer, doing business under the name of Victorville Motor Express, requesting the Commission to remove from applicants' operative rights a restriction limiting the transportation by them of certain commodities to three tons.

A public hearing was held by Examiner Gannon at Los Angeles, the matter was submitted, and is now ready for decision.

Decision No. 15595 on Application No. 10195, dated November 6, 1925, granted to K. M. Stevenson the right to operate a freight truck service between Los Angeles and Victorville and the farming section ten miles north and thirty miles east and west of Victorville, but expressly limiting the transportation of such freight to quantities of not more than three tons from any one consignor to any one

consignee between said points. It appears that at the hearing on said application Stevenson, in order to meet the protest of Hodge Transportation System, a then authorized freight carrier in the territory, agreed not to transport any building materials or petroleum products in single lots, from one consignor to one consignee, in excess of three tons.

Subsequently Hodge Transportation System ceased its operations as a common carrier and its certificate was revoked by the Commission. The contention of applicant is that inasmuch as the reason for the imposition of the three ton limitation no longer exists the restriction should be removed.

Both co-partners, Stevenson and Shafer, testified that they had frequent requests to transport building materials and other commodities from Los Angeles to Victorville and Oro Grande, the latter point being a few miles north of Victorville. At the present time there is no other authorized carrier operating in this territory. Shafer testified that he had in fact been transporting this class of material since the withdrawal of Hodge, in ignorance of any restriction imposed by the Commission in the original order.

The manager of the San Bernardino Transportation Company testified that there is a demand for the transportation of commodities into this territory in consignments of three tons or over.

There appears to be no good reason why the application should not be granted and the restriction removed,

and the order will so direct.

ORDER

K. M. Stevenson and Paul Shafer, co-partners, having made application to the Railroad Commission for the removal from their operative rights of the restriction limiting the transportation of freight in quantities of not more than three tons from any one consignor to any one consignee, between Los Angeles and Victorville, and between Victorville and points ten miles north and thirty miles east and west thereof, all points to be north of a line drawn east and west through Hesperia, a public hearing having been held, and the matter having been duly submitted,

IT IS HEREBY ORDERED that the said restriction be, and the same is hereby removed.

Dated at San Francisco, California, this 10th day of May, 1929.

Thos D. Lott
Ch. Seaver
Ernest A. Galt
Leon White

Commissioners.