

Decision No. 22927

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of TAYLOR TRUCK-A-WAY, LTD., a Corporation, for a certificate of public convenience and necessity to operate an automotive service for the transportation of motor cars by means of special equipment, as a common carrier, between Long Beach and Los Angeles and intermediate points, via Alameda Street (Truck Boulevard), with a branch extending to Watts; and between Long Beach and Los Angeles and intermediate points via Long Beach Boulevard, Vernon Avenue and Santa Fe Avenue, with a branch extending to Bell; between Long Beach and Los Angeles and intermediate points, via Anaheim Street and Harbor Boulevard, with branches extending to San Pedro, Torrance, Gardena, Moneta and Hawthorne; between Long Beach and Santa Maria and intermediate points via Roosevelt Highway and U.S. Highway 101, with branches extending to Ojai and Lompoc; between Los Angeles and Santa Monica and intermediate points via West Adams Street and Washington Boulevard, with branches extending to Palms, Sawtelle and Beverly Hills and intermediate points; between Los Angeles and El Rio and intermediate points via U.S. Highway 101; between Los Angeles and Ventura and intermediate points via U.S. Highway 101 and Santa Susana Pass Road; between Los Angeles and Delano and intermediate points via U.S. Highway 99, with branches to Taft, Maricopa, Fillmore and Santa Paula; between Los Angeles and Bishop and intermediate points via U.S. Highway 99 and Mint Canyon Road, with a branch extending to Randsburg; between Los Angeles and San Fernando and intermediate points via San Fernando Road and Verdugo Road; between Los Angeles and Montrose and intermediate points via Mission Road, Huntington Drive and Upper Foothill Boulevard; between Los Angeles and Needles and intermediate points via U.S. Highway 66, with a branch extending to Sierra Madre; between Los Angeles and El Centro and intermediate points, via U.S. Highway 99, with branches extending as follows:

ORIGINAL

Application No. 16709.

(a) from El Monte to Pomona and intermediate points via Covina Boulevard, (b) to Chino via Central Avenue, (c) from El Centro to West Bank of Colorado River opposite Yuma, Arizona, (d) from El Centro to Calexico; between Los Angeles and San Diego and intermediate points via U.S. Highway 99, with branches to Perris, San Jacinto, Escondido and Ramona; between Long Beach and Chula Vista and intermediate points via Roosevelt Highway and U.S. Highway 101, with a branch extending to El Centro and intermediate points via U.S. Highway 80; between Los Angeles and San Diego and intermediate points via U.S. Highway 101, with branches extending as follows: (a) to Pomona via Brea Canyon Road, (b) to San Bernardino via Santa Ana Canyon Road, (c) to Orange via Chapman Avenue; Between Long Beach and Fullerton and intermediate points via Anaheim Road and U.S. Highway 101, with a branch extending to Santa Ana; between Long Beach and Pasadena and intermediate points via American Avenue and San Gabriel Boulevard with branches extending as follows: (a) to Norwalk, (b) to Fullerton, (c) between Downey and Huntington Park; and to conduct the same as a unified and consolidated system between the points described and all intermediate points.

Rex W. Boston, for Applicant,
A. M. Levey, for Southern Pacific Company,
Interested Party.

BY THE COMMISSION:

O P I N I O N

Taylor Truck-A-Way, Ltd., a corporation, seeks herein a certificate to transport automobiles by automotive vehicles between Long Beach and Los Angeles and various points in southern California.

A public hearing was conducted by Examiner Williams at Los Angeles, at which time the matter was submitted without protest from any public carrier.

Applicant corporation has taken over the business begun by Fred R. Taylor January 1, 1930. This business is the transportation of automobiles from the assembly plant of the Ford Motor Company, which is located partly in Long Beach and partly in the contiguous city of Los Angeles. When the business was established Mr. Taylor believed no certificate was required, but when legally advised that the business was that of a common carrier filed the instant application. The record shows no evidence of avoidance or bad faith on his part or in incorporating the business.

Applicant has had many years experience in trucking and testified that it has about \$75,000 in assets; that it now uses 16 units of equipment, and is constructing five more; that the business constantly has been increasing. Applicant has special vehicles which carry three automobiles and which make deliveries of new cars from the Ford plants to its dealers. Eighteen routes are applied for with termini at San Diego, El Centro, Needles, Bishop, Santa Maria and Delano and providing for all intermediate points. The rates to be charged are based upon a charge of eight cents per mile for each vehicle transported or 24 cents per mile per unit. The units are composed of a motive power unit with a semi-trailer on which the cargo is carried, and the overall length is approximately 56 feet.

The service is essentially for Ford dealers who bear all the charges. Roy R. MacKenzie, Traffic Manager at the Ford plant, testified that there are 176 Ford dealers in the territory sought to be served; that the allocation of cars among them aggregates 75,082 cars annually (Exhibit No. 4), of which 55082 are destined to points in Los Angeles County. Mr. MacKenzie said the service established by applicant has

been very efficient and satisfactory. In addition, 20 dealers scattered throughout the area testified as to the need of such service and the satisfaction of the service established by applicant which each has been using. The benefits accruing, they testified, are clean new cars for the salesrooms and greater customer satisfaction, and the ability to exchange cars with each other.

While the bulk of applicant's business is Fords, he also offers to transport any automobile in either direction, particularly repossessed cars.

No request for authorization of stock was made. Mr. Taylor explained that the business had been incorporated in 1929 with a capital of \$150,000, of which \$54,900 was issued by authority of the Commission in payment to him and the others for the business and assets. No debts exceeding twelve months duration have been made.

Applicant here proposes to establish demand service over a large area, such as was authorized by Decision No. 22547, on Application No. 16452 of Freeman L. Marble for the so-called "drive-away" zone surrounding San Francisco. It is essentially the same in all respects except the structure of the vehicles and is a public service needed by automobile dealers. A certificate therefor will be issued accordingly.

Taylor Truck-A-Way, Ltd. is hereby placed on notice that "operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the state which is not in any respect limited to the number of rights which may be given.

O R D E R

TAYLOR-TRUCK-A-KAY, Ltd., a corporation, has made application for a certificate of public convenience and necessity to establish and operate automotive service for the transportation of automobiles as a common carrier between Long Beach and Los Angeles and various termini, 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 establishment by applicant of an automotive service for the transportation of automobiles between Long Beach and Los Angeles, either or both, and termini over and along the following routes:

ROUTE ONE:

Between Long Beach and Los Angeles, via Alameda Street (Truck Boulevard), serving intermediate points, including Compton.

Branches will extend from this line as follows:

(a) From Junction of Alameda Street, (Truck Boulevard) and Main Street, of Watts, via Main Street to the City of Watts.

(b) From Junction of Alameda Street, (Truck Boulevard) and Manchester Avenue, West on Manchester Avenue to Inglewood.

ROUTE TWO:

Between Long Beach and Los Angeles, via American Avenue, Long Beach Boulevard, Vernon Avenue and Santa Fe Avenue, serving all intermediate points, including North Long Beach, Lynwood, Southgate, Huntington Park and Vernon.

A branch will extend from this line as follows:

From the Junction of Long Beach Boulevard and Irvington Avenue, in Huntington Park, via Irvington Avenue to the City of Bell.

ROUTE THREE:

Between Long Beach and Los Angeles, via Anaheim Street and Harbor Boulevard, serving all intermediate points including Wilmington.

Branches will extend from this line as follows:

- (a) From the Junction of Harbor Boulevard and Anaheim Street, via Harbor Boulevard and Pacific Avenue South to San Pedro.
- (b) From the Junction of Harbor Boulevard and Carson Street, West on Carson Street to Torrance.
- (c) From the Junction of Harbor Boulevard and 163rd Street, West on 163rd Street to Gardena and Moneta, thence North on Western Avenue, thence West on Ballona Avenue, thence North on Hawthorne Boulevard to Hawthorne.

ROUTE FOUR:

Between Los Angeles and Santa Monica, via West Adams Street, West Washington Boulevard and Lincoln Boulevard, serving all intermediate points, including Culver City, Venice and Ocean Park.

Branches will extend from this line as follows:

- (a) From the Junction of West Washington Boulevard and National Boulevard, via National Boulevard and Sawtelle Boulevard to Palms and Sawtelle.
- (b) From the Junction of National Boulevard and Robertson Boulevard, via Robertson Boulevard to Beverly Hills.

ROUTE FIVE:

Between Long Beach and Santa Maria via Roosevelt Highway between Long Beach and El Rio, thence north along U.S. Highway 101, serving all intermediate points, including Wilmington, Redondo Beach, Hermosa Beach, El Segundo, Venice, Santa Monica, Oxnard, Ventura, Carpinteria and Santa Barbara.

Branches will extend from this line as follows:

- (a) Northeast from Ventura via Wheeler Hot Springs Road to Ojai.
- (b) From Buellton to Lompoc, via Santa Rita.

ROUTE SIX:

Between Los Angeles and Santa Maria, connecting at El Rio with Route Five and its branches described above, via Ventura Boulevard and U.S. Highway 101, serving all intermediate points.

ROUTE SEVEN:

Between Los Angeles and Ventura, via U.S. Highway 101, to Universal City, thence via Lankershim Boulevard, Sherman Way, Canoga Avenue and Santa Susana Pass Road, serving all intermediate points, including North Hollywood, Van Nuys, Reseda, Owensmouth, Moorpark and Saticoy, connecting with Route Five described above at a point approximately three and six-tenths miles (3.6) East of Ventura, on U.S. Highway 101.

ROUTE EIGHT:

Between Los Angeles and Delano, via U.S. Highway 99, serving all intermediate points including Glendale, Burbank, San Fernando, Newhall, and Bakersfield.

Branches will extend from this line as follows:

- (a) From the Junction of U.S. Highway 99 and Maricopa Road at Greenfield, via Maricopa Road to Taft and Maricopa, serving all intermediate points.
- (b) From the Junction of U.S. Highway 99 and Lost Hills Road at Famosa, via Lost Hills Road to Wasco, serving all intermediate points.
- (c) From the Junction of U.S. Highway 99 and Telegraph Road, at Castiac, via Telegraph Road to Ventura, serving all intermediate points, including Fillmore and Santa Paula, connecting with Route Five described above at a point approximately two and two-tenths miles (2.2) East of Ventura on U.S. Highway 101.

ROUTE NINE:

Between Los Angeles and Bishop via U.S. Highway 99 to Saugus, thence via Mint Canyon Road and Midland Trail, serving all intermediate points, including Palmdale, Lancaster, Mojave, Lone Pine, Independence and Big Pine.

A branch will extend from this line as follows:

- (a) From Mojave to Randsburg, via Trescape and Turkey Ranch, serving all intermediate points.

ROUTE TEN:

Between Los Angeles, and San Fernando, via San Fernando Road, Verdugo Road, Michigan Avenue, Sunset Avenue and Mulholland, serving all intermediate points including Montrose and Tujunga, and connecting at San Fernando with Routes Eight and Nine described above.

ROUTE ELEVEN:

Between Los Angeles and Montrose, via Mission Road, Huntington Drive, Fair Oaks Avenue, Upper Foothill Boulevard and Michigan Avenue, serving all intermediate points including South Pasadena, Pasadena, and Altadena, and connecting at Montrose with Route Ten above described.

ROUTE TWELVE:

Between Los Angeles and Needles, via U.S. Highway 66, serving all intermediate points, including Pasadena, Arcadia, Monrovia, Duarte, Azusa, Glendora, Claremont, Upland, Rialto, San Bernardino, Victorville and Barstow.

A branch will extend from this line as follows:

From the Junction of U.S. Highway 66 and Sierra Madre Road at a point approximately two and one-half miles (2.5) East of Pasadena North to Sierra Madre.

ROUTE THIRTEEN:

Between Los Angeles and El Centro, via U.S. Highway 99, serving all intermediate points, including Alhambra, El Monte, Puente, Pomona, Ontario, Colton, Redlands, Beaumont, Banning, Indio, Coachella, Westmoreland, Brawley and Imperial.

Branches will extend from this line as follows:

- (a) From El Monte to Pomona, commencing at the Junction of U.S. Highway 99 and Covina Boulevard, in El Monte, via Covina Boulevard, Grand Avenue in Covina, Bonita Avenue in San Dimas, Third Street in La Verne and Carey Avenue in Pomona, serving all intermediate points, including Baldwin Park, Covina, San Dimas, and La Verne, and connecting again with this route (Route Thirteen) in Pomona at the Junction of Carey Avenue and U.S. Highway 99.
- (b) From the Junction of U.S. Highway 99 and Central Avenue, approximately two (2) miles West of Ontario via Central Avenue to Chino.

- (c) Between Coachella and Blythe and intermediate points including Mecca via Desert Center and Ford's Well.
- (d) Between Westmoreland and Calipatria and intermediate points.
- (e) Between El Centro and West bank of Colorado River, opposite Yuma, Arizona, via U.S. Highway 80, serving all intermediate points including Holtville.
- (f) Between El Centro and Calexico via El Centro-Calexico Road and Imperial Avenue in Calexico, serving all intermediate points.

ROUTE FOURTEEN:

From Los Angeles to San Diego via Inland Route, over and along U.S. Highway 99, between Los Angeles and Ontario, serving all intermediate points including Riverside, Perris, Elsinore, Fallbrook and Escondido.

Branches will extend from this line as follows:

- (a) Between Perris and San Jacinto via Ethanac Road, serving all intermediate points, including Hemet.
- (b) Between Escondido and Ramona via San Pasqual.

ROUTE FIFTEEN:

Between Long Beach and Chula Vista via (Coast Route) Roosevelt Highway to Serra, thence via U.S. Highway 101 to San Diego, thence via National Boulevard to Chula Vista, serving all intermediate points including Huntington Beach, Newport Beach, Laguna Beach, San Clemente, Oceanside, Solana Beach, Del Mar, La Jolla, Mission Beach, San Diego and National City.

A branch will extend from this line as follows:

- (a) Between San Diego and El Centro via U.S. Highway 80, serving all intermediate points including La Mesa, El Cajon and Jacumba, and connecting at El Centro with Route Thirteen described above.

ROUTE SIXTEEN:

Between Los Angeles and San Diego via U.S. Highway 101, serving all intermediate points, including Belvedere, Montebello, Whittier, La Habra, Fullerton, Anaheim, Santa Ana, Tustin, San Juan Capistrano, San Clemente, Oceanside, Solana Beach, Del Mar, La Jolla, and Mission Beach.

Branches will extend from this line as follows:

- (a) Between Fullerton and Pomona serving all intermediate points including Brea, via Brea Canyon Road and U.S. Highway 99, connecting with Route Fourteen above described, at the Junction of Brea Canyon Road and U.S. Highway 99.
- (b) Between Fullerton and San Bernardino via Santa Ana Canyon Road, serving all intermediate points including Placentia, Corona, Arlington, Riverside and Colton, connecting with Route Fourteen described above at Riverside; with Route Thirteen described above at Colton, and with Route Twelve above described at San Bernardino.
- (c) From the Junction of Chapman Avenue and U.S. Highway 101, approximately one (1) mile North of Santa Ana, via Chapman Avenue to Orange.

ROUTE SEVENTEEN:

Between Long Beach and Fullerton via Anaheim Street and Ocean Avenue to Garden Grove, thence North on Euclid Avenue to Lincoln Avenue, thence East on Lincoln Avenue to Anaheim, thence North on U.S. Highway 101 to Fullerton, serving all intermediate points including Garden Grove and Anaheim.

A branch will extend from this line as follows:

- (a) Commencing at the intersection of Euclid Avenue and Ocean Avenue in Garden Grove, thence South on Euclid Avenue to Fifth Street, thence East on Fifth Street to Santa Ana, connecting with Route Sixteen above described.

ROUTE EIGHTEEN:

Between Long Beach and Pasadena via American Avenue and San Antonio Drive in Long Beach, thence North on San Gabriel Boulevard to Pasadena, serving all intermediate points including Hynes, Clearwater, Downey, Alhambra, San Gabriel and San Marino.

Branches will extend from this line as follows:

- (a) Between Hynes and Norwalk via Artesia Avenue and Norwalk-Artesia Road, serving all intermediate points, including Bellflower and Artesia.
- (b) Between Hynes and Fullerton, via Artesia Avenue to Buena Park, thence via Commonwealth Avenue to Fullerton serving all intermediate points, including Buena Park.

- (c) Between Downey and Huntington Park, via Baker Avenue and Irvington Avenue, serving all intermediate points including Maywood and Bell.
- (d) Between the Junction of San Gabriel Boulevard and Garvey Avenue, West on Garvey Avenue to Monterey Park.

Said routes and service to be operated as a united and consolidated system between all of the points and over all of the routes, both main and branch; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be, and the same hereby is, granted subject to the following conditions:

- (1) Applicant shall file its 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 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 thirty (30) 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 it 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 2nd day of

October
September, 1930.

O. C. Kearney

Leon A. Whelan

John D. ...

M. J. ...

11. Commissioners.

It seems to me that this operation comes under the Ben more decision and no certificate is required.

Ernest W. ...