

Decision No. 23324

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
L. D. BARNES to discontinue service.Application
No. 17136

BY THE COMMISSION -

OPINION and ORDER

This is an application by L. D. Barnes for an order of the Railroad Commission permitting him to discontinue the trucking service he has been performing under authority of this Commission between Los Angeles, Riverside, Corona and intermediate points. He declares that since June 17, 1930, he has transported no freight under said certificate and that because of the limitations and restrictions contained in said certificate he believes that he will not be called upon to perform any service.

The records of the Commission show that by Decision No. 22117, rendered February 11, 1930, on Application No. 16253, applicant acquired from W. O. Masters an operative right for the transportation of paper wraps for citrus fruits between Los Angeles, Riverside, Corona and intermediate points. From about March 1, 1930, to June 2, 1930, applicant declares he continued the service as it had been rendered by his predecessor in interest by picking up truck loads of not less than five tons at the warehouse of Crown Willamette Paper Company in Los Angeles and distributing the same in lots of from one to two tons to various citrus fruit packing houses located within the territory served. Advised that his operative right was restricted to the transportation of shipments of not less than five tons from one shipper to one consignee and would not, as applicant had supposed, permit the acceptance of five ton loads for distribution to several consignees, applicant made application for a modification of his certificate and a reduction of the minimum from five tons to one ton, which application (No. 16549), was heard by this Commission on June 2, 1930, and denied on June 17, 1930, the

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public hearing developing that existing common carriers, who protested said modification, were giving adequate service.

Since the rendition of the Commission's Decision No.22543, on Application No.16549, applicant has not performed any service for the reason that no shipments of five tons or more have been offered for transportation from one shipper to one consignee. He states that none of the citrus fruit packing houses formerly served by him purchase their paper wraps in such manner as to require the transportation and delivery of single shipments of not less than five tons.

It appearing that the transportation service formerly rendered by applicant is now being performed by other carriers duly authorized to render such service and that no detriment or prejudice to the interest of the shipping public will result from the permanent discontinuance of applicant's operations, we are of the opinion that this application should be granted. It does not appear to be a matter in which a public hearing is necessary. Therefore,

IT IS HEREBY ORDERED that L. D. Barnes be and he is hereby authorized to discontinue the service he was authorized to perform under the certificate of public convenience and necessity he acquired by Decision No.22117, and

IT IS HEREBY FURTHER ORDERED that said certificate be and the same is hereby revoked and annulled and the tariffs and time schedules filed by said L. D. Barnes canceled.

Dated at San Francisco, California, this 26th day of

January, 1931.

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Leon White
W. J. ...
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COMMISSIONERS.