

Decision No. 25008.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
KIYOSHI Ota for certificate of public)	
convenience and necessity for truck)	Application
line for transportation of vegetables)	No. 18091
and market produce.)	

A. Gitelson and Masao Igasaki, for Applicant.

H.J. Bischoff, Motor Service Express, Inc.,
Protestant.

H.J. Haley, Railway Express Agency, Inc.,
Protestant.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

Kiyoshi Ota has made application for a certificate of public convenience and necessity to establish a truck line for the transportation of vegetables and market produce between points in the Coachella Valley, particularly Thermal and Oasis and Los Angeles.

Public hearing was conducted by Examiner Kennedy at Indio, the matter was duly submitted and is now ready for decision.

Applicant proposes to collect produce each night from the farms of certain growers in the Coachella Valley and immediately transport it over Highway No. 99 to Los Angeles for distribution at the Los Angeles market to the best advantage of producers and under authorization from them to deliver it where his best judgment may direct. On cross-examination applicant admitted that while he has been operating during the past season, this special service has been rendered on only two occasions. He further proposes to operate at a straight rate of \$12.00 per ton. He proposes to make a trip each night six nights a week with no fixed schedule. The

application alleges that it is the desire and intention of the applicant to serve but seven Japanese farmers. At the hearing however it developed that applicant is proposing to serve only four of the seven named in his application. These four farmers testified that they have an oral understanding with the applicant to use his service, the understanding being in accordance with the terms testified to by the applicant himself.

Motor Service Express, Inc. protested the granting of the application. This carrier has ten to fourteen line trucks and ten pick-up trucks for use of the farmers in the Coachella Valley. In the busy season (May and June) they serve over 100 growers, including two Japanese farmers, giving daily service including Sunday. The service is available throughout the year and during the quiet season his company hauls for all the Japanese farmers in the district. Their pick-up service is available as late as 5:00 PM and the shipments thus collected arrive at the Los Angeles market in the late night and early morning hours, complete delivery being accomplished before 1:00 AM. It appears from this testimony that there are now sufficient transportation facilities to handle the products from this region.

After thoroughly reviewing all the evidence in this proceeding, we conclude and hereby find as a fact that public convenience and necessity do not require the service proposed by applicant. His application will be denied.

O R D E R

Public hearing having been held on the above entitled application, an order of submission made and the Commission being fully advised,

IT IS HEREBY ORDERED that this application be and the same is hereby denied.

The effective date of the order herein is hereby placed
at twenty (20) days from the date hereof.

Dated at San Francisco, California, this 1st day of
August 1932.

C. C. Leary
L. M. [unclear]
W. A. [unclear]
W. B. [unclear]
Frederic G. [unclear]
COMMISSIONERS.