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Decision No. 10595

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application)
of O. L. HIGDON for permit to)
change the route of an automobile)
truck line for the transportation) Application No. 7763.
of freight and express between)
Fresno and Riverdale, in Fresno County,)
California.)

ORIGINAL

G. Levin Aynesworth for applicant.
L. N. Bradshaw for Southern Pacific
Company and American Railway
Express Company, protestants.

BY THE COMMISSION,

O P I N I O N

A public hearing was held by Examiner Westover at Fresno upon the above entitled application for authority to change the present route of applicant's automobile truck line between Fresno and Riverdale so as to enable him to include Caruthers, a point not at the present time receiving service, and to continue service to Camden on the return trip only.

It appears from the testimony that the Southern Pacific Company has an overnight freight service between Fresno and Caruthers, and that the American Railway Express Company serves it on the morning passenger train leaving Fresno at 7:45 a.m. and arriving at Caruthers at 9:00 a.m. The only testimony beside that of applicant, presented by him, was to the effect that a carload of hay was five days in transit between Fresno and Caruthers. Investigation, however, showed that the hay did not originate at Fresno.

It appears from testimony of applicant that he has been operating illegally for about a year to and from Caruthers, without authority from the Railroad Commission. This circumstance, in itself, is sufficient to justify denial of the present application, but it does not appear to be sufficiently flagrant to justify proceeding to forfeit applicant's present authority to operate between Fresno and Riverdale, via Camden.

O R D E R


A public hearing having been held upon the above entitled application, the matter being submitted and now ready for decision,

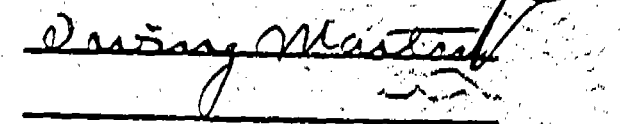
THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by O. L. Higdon of an automobile truck line as a common carrier of freight to or from Caruthers, Fresno County, California.

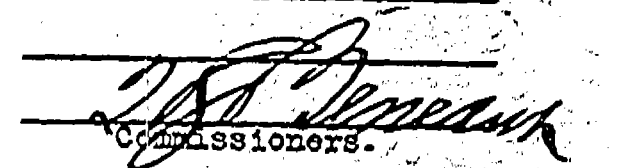
IT IS HEREBY ORDERED that such service to and from Caruthers heretofore conducted by said O. L. Higdon be immediately discontinued.

IT IS HEREBY FURTHER ORDERED that the above entitled application be and it is hereby denied.

Dated at San Francisco, California, this 16th day of June, 1922.






Commissioners.