Decision No. //07/\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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Application No. 8095.

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222

In the matter of the application of A. E. MALLETT, and GENE ANTICHI, for a cortificate of public convenience and necessity to operate an automobile truck line as a common carrier of freight between Sacramento and Corning, and intermediate points.

> N. A. Encell by James A. Miller for applicants.
> Geo. J. Bradley for Merchants & Manufacturors Assn. of Sacramento.
> L. N. Bradshaw for Southern Pacific Company, protestant.
> Edward Stern for American Railway Express Co., protestant.
> W. R. Warner for Sacramento Auto Truck Company.

BY THE COMMISSION.

## $\underline{OPINION}$

A public hearing was hold by Examiner Westover at Sacramento upon the above entitled application to operate freight truck service between Sacramento and Corning serving Yolo, Zamora, Dunnigan, Arbuckle, Williams, Maxwell, Norman, Willows, Artois, Orland, Davis and Woodland as intermediate points.

The present service is by the Southern Pacific Company operating a local freight train which usually arrives at Arbuckle about noon and Willows about 6 p.m., where the train lies over night, reaching Corning about 2 p.m. or later the second day.

Applicants propose to leave Sacramento at 8:30 c.m., Willows at 2:45 p.m., and reach Corning at 5 p.m., providing free pick up and delivery, and a daily service.

~1~

We are satisfied from the testimony that there is no necessity for additional service at Willows and points south, the only witnesses presented on the subject expressing complete satisfaction with the present service; but at points north of Willows the proposed service would save more than a days time even when the rail service is not delayed, and would make it possible for merchants to order goods from Sacramento early in the morning and receive them the same day.

Applicants' proposed rates are higher than Southern Pacific rates by about the cost of drayage at points of origin and destination.

Complaint was made of delays in cutting freight trains at Orland, thus preventing draymen from getting freight promptly. We are satisfied that any needed remedy will be applied by the railroad. If this is not done, the Commission should be advised.

## <u>O R D E R</u>

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

THE RAILROAD COMMISSION HEREBY CERTIFIES that public necessity and convenience requires the operation by A. E. Mallett and Gene Antichi of a motor truck service between Sacramento and Artois, Orland and Corning, but not between any other points herein referred to.

1. The operative rights and privileges hereby established may not be transferred, leased, sold or assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

2. No vehicle may be operated in said service unless said vehicle is owned by the applicants herein or is leased by said applicants under a contract or agreement satisfactory to the Railroad Commission.

223

3. IT IS HEREBY ORDERED that applicants shall, within fifteen days from the date hereof, file with the Railroad Commission schedules and tariffs covering said proposed service, which shall be in addition to proposed schedules and tariffs accompanying the application; shall show each point proposed to be served and quote rates to and from each such point; and shall set forth the date upon which the operation of the line hereby suthorized will commence, which date shall be within thirty days from date hereof, unless time to begin operation is extended by formal supplemental order herein.

4. The authority herein contained shall not become effective until and unless the above mentioned schedules and tariffs are filed within the time herein limited.

Dated at San Francisco, California, this 74 day of

October, 1922.

Commissioners.

225