

Decision No. 11214

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application
of OSCAR M. GREEN for certificate
of Public Convenience and Necessity
to Operate Freight and Express ser-
vice between Victorville, California
and San Bernardino, California.

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)
) Application No. 8259
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E.W. Phipps, for Applicant
C.B. Wynn, for American Railway Express, Protestant
M.W. Reed, for Atchison, Topeka and Santa Fe Railway,
Protestant
E.E. Bennett, for Los Angeles and Salt Lake Railroad,
Protestant.

BY THE COMMISSION:

O P I N I O N

Oscar M. Green has applied to the Railroad Commission for a certificate of public convenience and necessity to operate freight and express service between San Bernardino and Victorville and intermediate points.

A public hearing was held at San Bernardino by Examiner Williams.

Applicant proposes daily service, except Sunday, between termini, serving also the intermediate points of Devore, Verámont, Mountain View Camp, Camp Cajon, Summit Filling Station, and Miller's Filling Station, and has filed classified ship-by-truck rates therefor, consistent with the service offered. He proposes to use a modern one-ton truck and such other equipment as may be

necessary. The route to be followed is the State Highway between termini.

Applicant has been engaged in trucking at Victorville and vicinity for two years and appears a suitable person to receive a certificate. His application, he testified, resulted from requests of business men of Victorville for a service that would be more dependable and quicker than that of the rail carriers reaching Victorville, and, in addition, furnishing them door delivery. This was borne out in the testimony of a number of witnesses produced by him, and by petitions which were filed as exhibits.

Witnesses explained that Victorville, being a desert town, must bring in all its subsistence and that, while the rail service is satisfactory for large quantities and long hauls, a rapid near-at-hand service to the markets of San Bernardino is needed, especially for breadstuffs, fruits, vegetables, etc. Service of this character given formerly by others, under authority of this Commission failed, due to lack of efficiency or irregularity from lack of support. On the whole, applicant's showing of necessity was sufficient.

Protestants, the Atchison, Topeka and Santa Fe Railway, the Salt Lake Railway, and the American Railway Express explained their service between termini. It was admitted that neither freight rail carrier picked up or delivered at either terminus, and the Express rates, including pickup at San Bernardino, are much higher than applicant's. In addition, freight is not received at San Bernardino by either carrier after 4:00 P.M. daily, which is a disadvantage. It is also reasonable to assume that the large volume of traffic will continue to move over the rail lines, as at present, as the rates are advantageous to shippers.

The intermediate service proposed is to points on the highway, mostly at some distance from the railroad stations and is properly incidental to the through service, and for the benefit of the public.

O R D E R

Oscar M. Green having applied to the Railroad Commission for a certificate of public convenience and necessity to operate freight and express service between San Bernardino and Victorville, and intermediate points, 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 operation by applicant of freight and express service between San Bernardino and Victorville, over the following route:

Over the State Highway via Verdmont, Devore, Mountain View Camp, Camp Cajon, Summit Filling Station, Miller's Filling Station,

And that a certificate of public convenience and necessity be and the same hereby is granted, subject to the following conditions:

- I - That applicant, Oscar M. Green, shall file within fifteen (15) days from date hereof, his written acceptance of the certificate herein granted, and shall file within thirty (30) days of the date hereof, duplicate tariff of rates and time schedules, in accordance with General Order No. 51 of the Railroad Commission, and that operation of such service shall begin within a period of thirty days from date hereof.
- II - That applicant, Oscar M. Green, shall not sell, lease, assign or discontinue the service herein authorized, unless such sale, lease, assignment, or discontinuance shall have been authorized by the Railroad Commission.

III- That no vehicle shall be operated by applicant unless such vehicles are owned by said applicant, or are leased under an agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 10th
day of November, 1922.

H. B. Sandberg

Waring Martin

J. P. ...

Commissioners.