

Decision No. 11401

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
PACIFIC MOTOR EXPRESS for certificate
of public convenience and necessity to
operate a motor truck service for the
transportation of milk, dairy products
and supplies only, between Los Angeles
and Prado, and dairies in the vicinity
thereof. This is to be an extension
to decision Number 11147 and operated in
connection with the same.

Application No. 8326

Harry S. Payne, for applicant
K. F. Beyerle, for Murietta Valley
Motor Freight Line.
J. W. Glasgow, for Atshison, Topeka &
Santa Fe Railway Co.

BY THE COMMISSION,

O P I N I O N

A public hearing was held by Examiner Westover at Los Angeles upon the above entitled application seeking authority to transport milk and dairy products and supplies between Los Angeles and Prado and dairies in the vicinity thereof, as an extension of, and in connection with an operative right granted to Harry S. Payne, doing business under the name and style of Pacific Motor Express, applicant herein, under Decision No. 11147 in Application No. 8306 dated October 20, 1922, authorizing him to transport the same commodities between Los Angeles and Panba Ranch and intermediate points east of Corona.

It appears from the testimony that the line operated by applicant

herein, is the only line operating in the immediate vicinity of three dairies near Prado, which appear to need the proposed service.

The dairies in question are, respectively, on the Boulevard between Corona and Prado, (previously known as Rincon), and on the road between Rincon and Chino, within one and one-half miles northerly from Prado. These dairies formerly shipped by the Santa Fe from Prado, being obliged to haul their milk. The nearest truck line is that of James K. Hawkins, which serves a territory lying to the north of Prado and extending to a point about two and one-quarter miles north of Prado. He is willing to transport this milk at a rate of twenty-five cents per can, provided the milk is delivered at a school house near the southerly end of his present run, but the dairies prefer to pay applicant the proposed thirty cent rate and not be obliged to haul their own milk, as applicant calls for it at their milk houses on their ranches.

Neither the Santa Fe nor the Marietta line made any objection to the proposed service, provided it is limited to dairy products and supplies as set forth in the order.

O R D E R

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

THE RAILROAD COMMISSION HEREBY CERTIFIES that public convenience and necessity require that Harry S. Payne, operating under the fictitious name of Pacific Motor Express, operate an automotive truck service for the transportation of milk, cream and dairy products and supplies between Los Angeles and Prado and dairy ranches within five miles east, south and west thereof and within two miles

north thereof; but not for the transportation of any other classes of freight. The above described service is to be operated in connection with and as a part of an extension of applicant's present operative rights between Los Angeles, Pauba Ranch and certain points east of Corona, authorized by Decision No. 10818 of August 3, 1922, upon Application No. 7985.

The authority herein contained is granted upon the following conditions:

1. The operative rights and privileges hereby established may not be transferred, leased, sold nor 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 applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

3. IT IS HEREBY ORDERED that applicant 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 authorized 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 23rd day of December, 1922.