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Decision No. 11506

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of)
ROBERT NICHOLSON and A. E. BLANC,)
and B. H. CHRISTIAN for the transfer :
of an automobile truck freight franchise)
between San Diego and Julian and inter-)
mediate points in the County of San)
Diego, California, and also for the :
transfer of an undivided one-half)
interest in the auto freight franchise of)
said Blanc between San Diego and Julian to :
the said B. H. Christian.)

Application No. 8351

Warren E. Libby for all applicants.

BY THE COMMISSION,

OPINION

Robert Nicholson and A. E. Blanc are the owners and operators of two automobile truck lines for the transportation of freight between San Diego and Julian in San Diego County. Under the certificate granted to Nicholson he may handle traffic to and from intermediate points; under his certificate Blanc is excluded from transacting business at the intermediate points. Nicholson has been operating over this route for the past four and a half years, Blanc for about two years, each making three round trips per week on alternative days. Nicholson now desires to dispose of his trucking business to Blanc and B. H. Christian for the sum of \$5,000.00. The equipment to be transferred consists of one 2-ton Mack truck, one 2½-ton Republic truck and one Cadillac delivery truck. The Cadillac is said to be worth

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"very little" and the other trucks between \$1,500.00 and \$2,000.00 each.

In the same application Blanc asks permission to transfer to Christian for a consideration of \$1,500.00 an undivided half interest in the Blanc certificate including also a half interest in the 2½-ton Packard truck now used by Blanc in this service, and valued at about \$2,000.00. If the dual arrangement be permitted Blanc and Christian will become the joint owners of the certificates now held by Nicholson and Blanc. During the winter months the new owners propose to make three round trips a week between Julian and San Diego, which is said to be ample to take care of the traffic requirements of the community. In summer, however, a daily service will be operated. Christian has been operating motor trucks in this section of the country for some little time and testified that he was financially able to purchase any additional equipment that might prove necessary for handling the traffic.

From the above statement of facts it will be seen that so far as the public is concerned the consolidation of the two lines will not only result in no additional service between San Diego and Julian, but will actually result in a diminution of service. The transfer from Blanc to Christian of an undivided one-half interest in his certificate, together with the purchase by Blanc and Christian each of an undivided one-half interest in the Nicholson certificate will mean the enlargement of the operative rights of Blanc through the ability of the combined lines to serve intermediate points, a right now denied to Blanc under his existing certificate. Our consent to this arrangement will be denied, without prejudice, however, to the rights of Blanc to file an application for the cancellation of his certificate and a new application by the parties in interest for the transfer of the Nicholson certificate to Blanc and Christian.

ORDER

A public hearing having been held, evidence submitted,
and the Commission being fully advised,

IT IS HEREBY ORDERED that the above entitled applica-
tion be, and the same hereby is denied.

Dated at San Francisco, California, this 13th day
of January, 1923.

Clavery

Erwin Shore

J. T. Whitting
Commissioners