Decision No. 5602

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application) of ED E. COCHRAN for certificate) of public convenience and reserved vice between Bakersfield and Taft.

In the matter of the application of JOE BESONE'S SERVICE MOTOR EX-PRESS for certificate of public convenience and necessity to operate express, baggage and freight service between Bakersfield, Taft and Fellows California.

Application No. 3843.

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W. W. Kaye for Ed E. Cochran. Joe Besone in propria persona.

BY THE COMMISSION:

OBINION

Ed E. Cochran applies for authority to operate freight and express service between Bakersfield and Taft. Kern County, and Joe Bosone applies for authority to operate similar service over the same route and to Fellows, about five miles farther.

A public hearing upon both applications was held by Examinor Westover at Bakersfield, July 16th. The applications were consolidated for hearing and decision.

The distance between Bakersfield and Taft is about 38 miles over paved roads and is shorter than the distance by rail wis Southern Pacific and Sunset Railway.

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Mr. Cochran procured local permits and thereafter began operating on June 12th,on schedule,a heavy two ton truck. He estimates his cost of operation at 12¢ per mile and depreciation at 4.4¢ per mile, or a total of 16.4¢ per mile. His average gross receipts for the first month's operation amount to about \$10 per day, showing a considerable loss in operation. He believes, however, that sufficient business can be developed after the service is authorized to justify granting the authority sought.

Mr. Besone began operating between Bakersfield and Taft,with a Ford light truck, about April 20, 1917, but did not originally operate to Fellows, for which authority is now requested. His business has grown steadily and he has subsequently added three light trucks of other makes. Besides operating the line in question he does a general trucking and transfer business.

It appears from the testimony that Mr. Besone is equipped to handle the present traffic and probably such as may be developed, and under well settled principles heretofore announced he should be protected in it so long as he renders good service.

ORDER

JOE BESONE having applied to the Railroad Commission for declaration that public convenience and necessity require the service hereinafter described, and Ed E. Cochran having applied for similar declaration, and a public hearing having been held upon both applications and the matter being now ready for decision,

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THE RAILROAD COMMISSION HEREBY DECLARES

that public convenience and necessity require Joe Besone. doing business under the name of Joe Besone's Service Motor Express to operate express and freight service between Bakersfield. Taft, Fellows and intermediate points in Kern County, but that public convenience and necessity do not require the additional service between Bakersfield and Taft, proposed by Ed E. Cochran,

PROVIDED this declaration shall not become effective until said Joe Besone has procured from the Railroad Commission a supplemental order herein reciting that applicant has filed herein certified copies of permits from the County of Kern and the cities of Bakersfield and Taft. as provided by Section 3 of Chapter 213. Laws of 1917; and

PROVIDED FURTHER that the rights and privileges herein granted shall not be assigned or transferred unless the written consent of the Hailroad Commission to such assignment or transfer has first been procured.

IT IS HEREBY ORDERED that no vehicle may be operated under this cortificate unless such vehicle is owned by the applicant herein or is leased by such applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that application of Ed E. Cochran, No. 3767, be and it is hereby

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denied.

Dated & San Francisco, California, this ZG^{-th} day of July, 1918.

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Commissioners.