

ORIGINAL

Decision No. 5762.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of R. E. CANTWELL for permit to)
operate freight and express by)
means of auto truck between the)
City of Chico, County of Butte,) Application No. 4054.
State of California, and Hamilton)
City, County of Glenn, State of)
California.)

R. E. Cantwell in propria persona.

BY THE COMMISSION

O P I N I O N

R. E. Cantwell has petitioned the Railroad Commission for an order declaring that the public convenience and necessity require the operation by him of an automobile truck line as a common carrier of express and freight between the City of Chico, County of Butte, and Hamilton City, County of Glenn.

A public hearing was held by Examiner Handford at Chico on September 13, 1918, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates on a basis of twenty cents per hundred pounds for shipments up to a maximum weight of one hundred pounds. Trunks at a flat rate of fifty cents each, small packages at a flat rate of twenty five cents each. Freight in ton lots at a rate of three dollars and seventy-five cents per ton.

Applicant proposes to operate on a schedule of one round trip, daily except Sunday, and to use as equipment one

Maxwell Truck of two ton capacity.

Applicant commenced operation on July 16, 1918, having purchased the business formerly operated by Geo. Mercer and a Mr. Young, and was not aware of the necessity for securing a certificate of public convenience and necessity from the Railroad Commission and permits from the governing bodies of all political subdivisions through which the route passed, but immediately upon ascertaining that such requirements were necessary the application herein was prepared.

A witness in applicant's behalf testified that the service that has been rendered by the applicant was satisfactory and a necessity to the merchants of Hamilton City, that the freight service offered by the Southern Pacific Company was not as satisfactory and that higher rates were charged by the railroad. The establishment of the service as herein requested by the applicant will eliminate long delays in the transportation of freight and express matter which are in evidence when shipments move by the railroad.

At the hearing on this application there was no protest offered against the granting of the desired certificate.

After consideration of the evidence in this proceeding, we are of the opinion that the application should be granted in accordance with the conditions as appearing in the following order.

O R D E R

R. E. Cantwell having applied to the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck

line as a common carrier of freight and express packages between the City of Chico, County of Butte, and Hamilton City, County of Glenn, a public hearing having been held, the matter having been duly submitted and the Commission being fully advised and of the opinion that the application should be granted.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by R. E. Cantwell of an automobile truck line as a common carrier of freight and express packages between the City of Chico, County of Butte, and Hamilton City, County of Glenn; provided, however, that this declaration shall not become effective until said R. E. Cantwell shall have procured from the Railroad Commission a supplemental order herein reciting that said R. E. Cantwell has filed herein certified copies of permits issued by the Boards of Supervisors of the Counties of Butte and Glenn and by the Board of Trustees of the City of Chico in accordance with the provisions of Section 3 of Chapter 213, Laws of 1917; and provided, further, that the rights and privileges herein granted may not be assigned nor transferred unless the written consent of the Railroad Commission to such assignment or transfer has first been procured.

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

Dated at San Francisco, California, this 14th day of September, 1918.

Edwin O. Edgerton
H. B. Loveland
Wm. G. Gordon
Frank R. Weston

Commissioners.