

ORIGINAL

Decision No. 6189.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of DAVID L. HELD for certificate)
of public convenience and necessity)
to operate express service between) Application No. 4540,
Los Angeles and San Fernando points.)

David L. Held in propria persona

I. L. Hamilton, Protestant

E. D. Morris and T. L. Day for Pacific
Electric Railway Company, Protestant

BY THE COMMISSION

O P I N I O N

David L. Held has petitioned 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 express and light freight between Los Angeles and San Fernando and intermediate points.

A public hearing was held at Los Angeles before Examiner Handford on February 6, 1919, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked exhibit "A" and filed with the application in this proceeding and to operate on a schedule of one round trip, daily except Sunday, serving as intermediate points the communities at Burbank, Van Nuys and Lankershim, and using as equipment one Ford Delivery car, one-half ton capacity, licensed by State Motor Vehicle Department under License No. 500497 .

Applicant proposes to handle light freight and express packages over the route for which a certificate is sought but at the hearing no witnesses were present to testify as to the public convenience and necessity which would be served if the desired certificate were to be granted.

This application is opposed by I. L. Hamilton who operates a freight service by motor truck serving the communities at Burbank, Lankershim and Van Nuys, although not serving San Fernando. This protestant has an investment in equipment of approximately \$7,500.00 and testified that the business along the proposed route was of such character that he was able to handle more traffic without any increase in schedule or equipment and that if a competing line were to be allowed that sufficient revenue could not be obtained justifying the maintenance and operation of both lines.

This application is also protested by the Pacific Electric Railway Company who serve the communities of Burbank and San Fernando by express service and regular freight service, same being rendered daily except Sunday. Both protestants are willing and financially able to add such equipment and service on their respective lines as the public need may require should additional service be necessary or the demands of traffic increase.

After careful consideration we are of the opinion and find as a fact that the applicant herein has not justified the public convenience and necessity which is necessary before a certificate can be granted, as the proposed service offers no additional facility to the public other than that to be furnished by a small vehicle and the services of the applicant in competition with existing railroad and truck lines.

O R D E R

David L. Held 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 express and light freight between Los Angeles and San Fernando Valley points, a public hearing having been held, the matter having been duly submitted and the Commission being fully advised and basing its order on the finding of fact as set forth in the preceding opinion,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by David L. Held of an automobile truck line as a common carrier of express and light freight between Los Angeles and San Fernando Valley points, and

IT IS HEREBY ORDERED that this application be and the same hereby is denied.

March Dated at San Francisco, California, this 12th day of March, 1919.

Edwin O. Edgerton
H. D. Lytle
Frank A. Wilson

Commissioners.