

ORIGINAL

Decision No. 6318.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application)
of M. HAYDIS for certificate of)
public convenience and necessity)
to operate motor truck express)
service between San Diego and)
El Centro, California.) Application No. 4174.

M. Haydis in propria persona.

Chas. D. Boynton for Boulevard Express,
Protestant.

BY THE COMMISSION

ORDER

M. Haydis has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck line between San Diego and El Centro.

A public hearing was conducted by Examiner Handford at San Diego on April 29, 1919, the matter was duly submitted and is now ready for decision.

At the hearing on this application, applicant requested an amendment of the route over which operation was proposed, it being the intention of applicant to serve from El Centro the communities at Calexico, Heber, Holtville, Brawley and Imperial and all intermediate points.

Applicant proposes to charge fares in accordance with a schedule marked exhibit "A" and attached to the application in this proceeding and to operate three times each week leaving

San Diego Sundays, Tuesdays and Thursdays and returning leaving El Centro Mondays, Wednesdays, and Fridays, the San Diego terminal being located at 1419 India Street, and the El Centro terminal being located at 563 Broadway.

Applicant proposes to use 2-3½ ton trucks, 1-2½ ton truck, 1-1 ton truck, and also for pick up and delivery service one Ford Roadster with truck body, and one Dodge Roadster with truck body.

Applicant has for some time been engaged in the hauling of dairy products and other commodities on a contract basis and now desires to establish service as a common carrier and to transport all classes of merchandise for the general public over the route herein sought. Service is at present given between San Diego and El Centro by the Mountain Express but this service, according to the testimony of witnesses for applicant at the hearing, has been unsatisfactory and not dependable and from the evidence it would appear that there is substantial need for additional truck service by a responsible operator over the route herein sought. Applicant herein has handled a very considerable amount of merchandise and commodities on a contract basis and, according to witnesses testifying in behalf of applicant, has rendered satisfactory and desirable service while operating in such manner.

This application is protested by the Boulevard Express operating between San Diego and Boulevard and Mr. Charles D. Boynton operating the Boulevard Express testified that he was in position to satisfactorily handle all freight traffic offering for motor truck transportation between San Diego and Boulevard and intermediate points.

No showing was made by the applicant which would indicate that any public necessity existed for the establishment of additional service between San Diego and Boulevard and the portion of the application as covering the local business between such points will be denied.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by M. Haydis of an automobile truck line as a common carrier of freight between San Diego and El Centro and Calexico, Heber, Holtville, Brawley, Imperial and intermediate points; provided, however, that no local freight may be transported between San Diego and Boulevard and intermediate points over the route now served by the Boulevard Express and provided, further, that this declaration shall not become effective until said M. Haydis shall have secured from the Railroad Commission a supplemental order herein reciting that said M. Haydis has filed herein certified copies of permits from the governing bodies of all political subdivisions through which the proposed route operates, as required by the provisions of Section 5 of Chapter 213, Laws of 1917, and provided, further, that the rights and privileges herein granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

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 such applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that no passengers may be

transported over the route hereinabove specified, the operation authorized being for the transportation of freight only.

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

Edwin C. Egan
H. J. Howard
H. W. Burdick

Commissioners.