

Decision No. 6426.

ORIGINAL

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of W. & S. TRUCK COMPANY, (a co-
partnership) for certificate of
convenience and necessity to
operate freight service between
Los Angeles, San Jacinto and
Temecula via Riverside.

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) Application No. 4586
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Miguel Estudillo for applicant.
E. E. Morris and E. J. Day for
Pacific Electric Railway Co, pro-
testant.
K. F. Beyerle, protestant
E. W. Camp for Atchison, Topeka &
Santa Fe Railway Company,
E. E. Bennett for Los Angeles &
Salt Lake Railroad Company,
B. J. Cross for Southern Pacific
Company.

BY THE COMMISSION.

ORDER

R. S. Smith and George Wiegand, partners in
business, operating under the fictitious name of W. & S.
Truck Company, have petitioned the Railroad Commission for
an order declaring that public convenience and necessity
require the operation by them of an automobile truck line
as a common carrier of freight between Los Angeles, River-
side, Temecula and intermediate points in Riverside County.

A public hearing was conducted at Los Angeles by Examiner Handford on June 10th, 1919, the matter was duly submitted and is now ready for decision.

Applicants propose 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 serving the intermediate communities at Riverside, Perris, Menhace, Hemet, San Jacinto, Elsinore, Murrieta and Temecula, using in such service the following equipment:-

1 - 4- ton Moreland Truck, State License
No. 512675.

1 - 2 $\frac{1}{2}$ -ton Moreland Truck.

1 - 2- ton White Truck, State License
No. 512674.

1 - 1- ton Selden Truck, State License
No. 514068.

1 - 2 $\frac{1}{2}$ - ton G.M.C. Truck.

Applicants have established the transportation service for which authorization is herein applied for primarily for the purpose of transporting milk from the communities proposed to be served to the Los Angeles market and for the reason that there is no reliable service offered at the present time by any existing transportation lines serving this territory. The operation as regards the transportation of milk has continued for some four months and applicants testify that they were able to secure a price of \$1.00 per cwt. for milk, known on the Los Angeles market as 4 per cent milk, as against a

price of 60¢ per cwt. which was secured for the milk when same was transported by the railroad. As no icing facilities were furnished on the railroad and as no Sunday service was available, applicants began the transportation of milk and have increased the traffic during the four months period which the same has been in operation from 40 cars per day to 80 cars per day with a prospect of a considerable increased volume of shipments in the near future. To place the business on a profitable basis, applicant desires the privilege of carrying such merchandise, dairy supplies, etc., as may be required by merchants and ranchers in the territory proposed to be served.

This application is protested by the Pacific Electric Railway Company whose railroad serves between Los Angeles and Riverside, their service being given on a schedule of two round trips per day and also an express service twice daily. The rates for express service between Los Angeles and Riverside are considerably in excess of those filed by the applicants herein. The Southern Pacific Company, the Los Angeles and Salt Lake Railroad and the Atchison, Topeka and Santa Fe Railway were also represented as interested parties, both the Santa Fe and Salt Lake Railroads serving Riverside direct and the Southern Pacific Company by an indirect route. The Santa Fe also serves the territory known as the back country and including the communities of Perris, Ehrenac, Hemet, San Jacinto, Elsinore, Murrieta and Hemecula, such service being given by trains which operate three days weekly and no service being available on Sundays.

The service proposed by applicants particularly as regards the transportation of milk and dairy products to the Los Angeles market appears desirable for the convenience and necessity of the ranchers in Riverside County in the district proposed to be served, there being at present no adequate method of transportation, which will result in milk arriving in Los Angeles in a condition that will command a high market price as under the existing methods of transportation milk arrives in a condition that requires its sale at a considerably lower rate than would be enjoyed if same were to be shipped by the automobile truck transportation as herein proposed. The rates as proposed by applicant are considerably more attractive for the public than those existing at the present time via express over the lines of the existing transportation companies, the character of service contemplated by applicants including a pick up and delivery service in Los Angeles and also in the communities to which service is to be offered.

Evidence in this proceeding does not indicate that any additional service over that already given by existing transportation companies is necessary as regards the City of Riverside and as applicants do not desire the privilege of doing business in the territory between Los Angeles and Riverside, the order in this proceeding will be conditioned in such regard, such condition also excluding the City of Riverside as a community in which the service proposed by applicants is to be given.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by R. S. Smith and George Wiegand, partners in business, operating under the fictitious name of W. & S. Truck Company, of an automobile truck

line as a common carrier of freight between Los Angeles, San Jacinto and Romecula, provided however that this certificate does not authorize the handling of local shipments between Los Angeles and Riverside, including the City of Riverside, nor the receipt or delivery of any freight at points intermediate between the City of Riverside and the City of Los Angeles; and provided, further, that this authorization shall not become effective until said R.S. Smith and George Wiegand have secured from the Railroad Commission a supplemental order herein reciting that said R. S. Smith and George Wiegand have filed herein certified copies of permits from the governing bodies of all political subdivisions through which the route operates in accordance with the provisions of Section 3 of Chapter 215, Laws of 1917; and provided, further, that the rights and privileges herein granted may not be transferred nor assigned unless the written permission 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 applicants herein or is leased by such applicants under a contract or agreement on a basis satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that no authority is hereby granted for the transportation of any passengers over the route herein sought.

Dated at San Francisco, California, this 25th day of June, 1919.

Edwin O. Edgerton

Frank Decker

Deering Martin
Commissioners