

ORIGINAL

Decision No. 6859.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)
E. L. KNOX and C. J. KNOX, co-partners,)
doing business under the firm name and)
style of KNOX BROTHERS, for a certifi-)
cate of public convenience and necessity)
to operate a freight carrying service)
between Salinas and King City, in the)
County of Monterey.)

Application No. 4485.

H. R. Osburn for Applicants.

H. T. Hennessy for United States Railroad
Administration, Southern Pacific Company
and American Railway Express.

BY THE COMMISSION:

O P I N I O N

B. L. KNOX and C. J. KNOX, co-partners, doing business under the firm name and style of KNOX BROTHERS, 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 Salinas and King City and intermediate points, all in the County of Monterey.

A public hearing on this application was conducted by Examiner Handford at Salinas on November 4, 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 Chular, Gonzales,

Soledad and Greenfield, using as equipment one Dodge truck of two and one half ton capacity and one trailer of three ton capacity.

Applicants have for some years operated a stage line for the transportation of passengers, express and light freight over the route herein sought and, due to the growth of the package and light freight business requiring transportation, have found it inexpedient to combine the carriage of freight and packages with the transportation of passengers; it having been the custom to operate a light trailer in connection with their passenger carrying stages. Rates for the transportation of packages and light freight have been filed with this Commission as required by law, the rate heretofore charged being one-quarter cent per pound with a minimum charge of twenty-five cents. The rates proposed by applicants in connection with the establishment of a separate freight and package carrying vehicle are on a graded scale ranging from fifteen cents per one hundred pounds to twenty-five cents per one hundred pounds, the new rates being a reduction as regards the service as affecting several of the communities along the route.

This application is opposed by the United States Railroad Administration on behalf of the Southern Pacific Railroad and the American Railway Express; it being the contention of the protestant that adequate service at reasonable rates is now being offered the public by means of the facilities as offered by the Southern Pacific Railroad and the American Railway Express.

In view of the fact that the requested certificate is to cover a service for which applicants have possessed authority by reason of tariffs and schedules lawfully filed with this Commission, the application for a declaration by the Railroad Com-

mission that public convenience and necessity require the establishment of the proposed service was unnecessary and the application will therefore be dismissed; the applicants, however, being required to file with the Railroad Commission a freight tariff in accordance with that proposed by exhibit "A" as attached to the application in this proceeding.

The Railroad Commission hereby finding as a fact that a certificate of public convenience and necessity permitting the applicants to establish freight and express service over the route herein sought is unnecessary by reason of applicants having been operating in good faith as of May 1, 1917, which was the date recognized by the legislature as that upon which transportation companies, as defined in Section 1 of Chapter 213, Laws of 1917, were not required to secure a certificate of public convenience and necessity from this Commission nor permits from the governing bodies of the political subdivisions through which a route passed.

O R D E R

B. L. KNOX and C. J. KNOX, co-partners, doing business under the firm name and style of KNOX BROTHERS, having made application to 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 Salinas and King City and intermediate points, all in the County of Monterey; a public hearing having been held; the matter having been duly submitted and the Commission basing its order on the finding of fact as set forth in the foregoing opinion,

IT IS HEREBY ORDERED that the applicants herein file with this Commission, within ten days after the date of service of this order, a tariff prepared in accordance with the require-

ments of this Commission under General Order No. 51 setting forth the rates for the transportation of packages, express and freight, such rates to be in accordance with those contained in exhibit "A" in the application in this proceeding.

IT IS FURTHER ORDERED that as to the other matters covered by the application in this proceeding that this application be and the same hereby is dismissed.

The above Opinion and Order is hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 19th day of November, 1919.

Edwin G. Edgerton
H. D. Loveland
H. B. ...

Commissioners.