

ORIGINAL

Decision No. 6917.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)
LOS ANGELES-WEST SIDE TRANSPORTATION)
COMPANY for certificate of public)
convenience and necessity to operate)
freight truck between Los Angeles,)
Taft, Maricopa, Fellows and McKittrick)
and points in west side oil)
fields.)

Application No. 5016.

R. H. Behr for Applicant.

Harry T. Hemessy for United States Railroad
Administration; Southern Pacific Company
and Southern Pacific Railroad and Sunset
Railroad, Protestants.

Harry W. Blair for E. A. Zykendall, Protestant.

BY THE COMMISSION:

O R D E R

R. H. Behr 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 freight between Los Angeles, Taft, Maricopa, Fellows and McKittrick and points in west side oil fields, applicant proposing to operate under the fictitious name of Los Angeles-West Side Transportation Company.

Public hearings were conducted by Examiner Handford at Los Angeles on October 13th and at Bakersfield on December 5, 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 two round trips each week using as equipment White Trucks of two ton capacity.

Applicant relies as justification for the granting of the desired certificate upon the alleged delay existing in the transportation of commodities between Los Angeles and Taft, Maricopa, Fellows and McKittrick, commonly known as the west side oil fields district.

Applicant does not propose to handle any business in the territory intermediate between Los Angeles and Taft intending to confine his service to the communities comprised in the so-called oil field district.

Witnesses for applicant testified as to the inconvenience caused by delay in the transportation of shipments from three to ten days being consumed in transportation between Los Angeles and Taft and in some instances over twelve days being required and the service, as regards perishables, is unsatisfactory. In some instances a tri-weekly car originating at Los Angeles and carrying perishables arriving on a delayed schedule and resulting in some instances in shipments not reaching consignees in time for marketing. A general complaint appears to exist on the part of merchants and others in the communities in the oil field district proposed to be served as to delays in transportation.

This application is opposed by the United States Railroad Administration on behalf of its lessors the Southern Pacific Railroad and the Sunset Railroad on the basis that the service rendered and the facilities offered are adequate and at reasonable rates and that for the expedited service, when same may be required on rush shipments or on perishables, the facilities

of the American Railway Express are available for shippers and consignees. The Southern Pacific Railroad operates a train daily, except Sunday, from Los Angeles to Taft via Bakersfield leaving Los Angeles at 10:00 P. M., arriving Taft between 11:00 A. M., and noon on the second day following. Daily service, except Sunday, out of Bakersfield is also given to Shale and McKittrick. There are three passenger trains carrying express - Los Angeles to Bakersfield - from which point local trains are utilized for the distribution of express to the various communities contemplated in this application. No particular complaint exists regarding the express service as furnished and originating in Los Angeles to the communities above mentioned.

A comparison of the rates proposed to be charged by applicant with those of existing transportation lines is as follows:

<u>APPLICANT'S PROPOSED RATES</u>	CLASSES (Rates in cents per cwt.)			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Between Los Angeles and Taft, Maricopa, Fellows and McKittrick	108	99	90½	80
Minimum charge	75 cents			

<u>SOUTHERN PACIFIC RAILROAD RATES</u>	CLASSES (Rates in cents per cwt.)			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Between				
Los Angeles and Taft	95	86½	72½	64
Los Angeles and Maricopa	86½	79	72½	64
Los Angeles and Fellows	97½	89	75	66½
Los Angeles and McKittrick	86½	79	72½	64

<u>AMERICAN RAILWAY EXPRESS RATES</u>	CLASSES (Rates in cents per cwt.)		
	<u>1</u>	<u>2</u>	<u>Special Commodity.</u>
Between Los Angeles and Taft, Maricopa, Fellows and McKittrick	165	124	101

The service proposed by applicant closely approximates that rendered by the American Railway Express as regards time required in the transportation and delivery of shipments, although the rates proposed are materially lower. While the rates proposed by applicant are higher in all instances than the less than carload rates of the Southern Pacific Railroad, the service rendered as to time justifies the increase in rate and the rates of applicant contemplate a store door delivery and pick-up.

We have carefully considered all the evidence in this proceeding and it appears and we find as a fact that the public desiring a service such as is contemplated by the applicant in this proceeding are entitled to the facilities offered in that they will secure expedited deliveries at a rate slightly higher than the class rates for station to station service as offered by protestant, Southern Pacific Railroad, and materially less than the rates of the American Railway Express.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by R. H. Behr of an automobile truck service as a common carrier of freight between Los Angeles and Taft, Maricopa, Fellows, McKittrick and points in the west side oil fields; provided, however, that no authority is granted by this certificate for the carriage of any freight locally in the territory between Los Angeles and Taft and and Maricopa, the authorization hereby granted being the carriage of through shipments between Los Angeles and the communities located in the west side oil fields; and, provided further, that the rights and privileges hereby granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment 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 such applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 9th day of December, 1919.

Edwin P. Edwards
H. D. ...
Frank ...
J. ...

Commissioners.