

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of GEORGE D. STOVER for certificate of Public Convenience and Necessity to operate freight service between Chino and Los Angeles.	) ) ) ) )	Application No. 4633
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In the Matter of the Application of CHARLIE ZUCCA for certificate of Public Convenience and Necessity to operate express service between Buena Park and Los Angeles.	) ) ) ) )	Application No. 4635
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In the Matter of the Application of G. E. MANSPERGER for certificate of Public Convenience and Necessity to operate Express Service between Westminister and Los Angeles.	) ) ) ) )	Application No. 4637
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In the Matter of the Application of R. STOCKS for certificate of public convenience and necessity to operate express service between Buena Park and Los Angeles.	) ) ) ) )	Application No. 4638
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In the Matter of the Application of VENABLE & SPENCER for certificate of Public Convenience and Necessity to operate Express and Freight Service between Norwalk and Los Angeles.	) ) ) ) )	Application No. 4639
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Walter E. Burke, for applicants.

B. J. Cross and W. H. Jones, for  
United States Railroad Administration;  
Southern Pacific Railroad, Protestant.

Brice Cowan, for Triangle & Orange County  
Express, Protestant.

L. R. Kagarise, for Keystone Express, Protestant.

BY THE COMMISSION.

ORDER

George D. Stover 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 for freight between Chino and Los Angeles and intermediate points.

Charlie Zucca 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 between Buena Park and Los Angeles.

G. E. Mansperger 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 between Westminster and Los Angeles.

R. Stocks 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 between Buena Park and Los Angeles.

H. T. Venable and A. T. Spencer, partners in business under the firm name and style of Venable and Spencer, 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 express and freight between Norwalk and Los Angeles.

A hearing on the above entitled applications was held by Examiner Handford at Los Angeles, at which time all of the above matters were consolidated for hearing and decision, the matters were duly submitted and are now ready for decision.

All applicants propose rates in accordance with schedules marked Exhibit "A" and filed as a part of the several applications in this proceeding. Time schedules and lists of equipment proposed to be operated were also filed with each application in the above proceedings.

All applicants herein are engaged in the carriage of milk and dairy products to the creameries at Los Angeles, and the

applicants have hauled return loads to the territory from which the milk and dairy products originate. The principal desire of all applicants herein is to place their milk hauling business on a legal basis and in compliance with the requirements of Chapter 213, Laws of 1917, the matter of return loads to the several communities proposed to be served being incidental.

The granting of the desired certificates is opposed by the United States Railroad Administration on behalf of its lessor, Southern Pacific Railroad, by the Triangle & Orange County Express and Keystone Express, motor truck carriers serving a portion of the territory over which certificate of public convenience and necessity is sought by applicants. The protests are based on the alleged ability of existing authorized carriers to handle all merchandise offering from Los Angeles to the communities proposed to<sup>be</sup>/served, there being no objection to the hauling of milk or hauling of return loads when same consists of grain, feed, mill stuff and any merchandise necessary in the conduct of the dairying business.

The evidence in this proceeding indicates that the service rendered by the applicants in the hauling of milk from the dairies to the creameries and other points of distribution of milk and dairy products in Los Angeles is necessary. It was not shown that it was necessary to haul return loads of any commodities other than those necessary for the conduct of the dairy business, nor that any complaint existed as to the service, facilities or rates of the existing authorized carriers.

We are of the opinion that all of the above entitled applications should be granted, but that the certificates should contain restrictions as to the character of shipments to be handled between Los Angeles and the various communities proposed to be served.

THE RAILROAD COMMISSION HEREBY DECLARES, that public convenience and necessity require the operation by George D. Stoyer between Chano and Los Angeles; by Charlie Zucca between Buena Park

and Los Angeles; by G. E. Mansperger between Westminster and Los Angeles; by R. Stocks between Buena Park and Los Angeles; and by E. T. Venable and A. T. Spencer, partners in business under the firm name and style of Venable & Spencer between Norwalk and Los Angeles; of automobile truck lines as common carriers of freight and express; provided, however, that the authorization herein granted covers the transportation of milk and dairy products from the communities hereinabove specified to the City of Los Angeles and return haul of such commodities necessary and essential to the dairy industry to the ranches and shippers of milk and dairy products as served by the applicants herein. The carriage of general freight and express between the communities hereinabove named is not authorized under this declaration. It is further provided 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 applicants herein or is leased by such applicants under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 19<sup>th</sup> day of December, 1919.

Edwin C. Ely  
W. D. Leland  
Frank R. Herby  
H. A. Bond  
DeWise Martin  
Commissioners.