

MM-Feb. 16, 1920.

Decision No. 7150

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

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In the Matter of the Application of  
THE MOTOR TRANSPORT COMPANY for cer-  
tificate of public convenience and  
necessity to operate freight service  
between Los Angeles and Fresno via  
Bakersfield.

}  
} Application No. 5169.  
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E. A. Miller for applicant.  
M. Thompson for American Railway Express, protestant.  
H. T. Hennessey for United States Railroad Adminis-  
tration, Southern Pacific Railroad, Protestant.

BY THE COMMISSION.

O R D E R

CURTIS B. LOCKLIN, desiring to operate under the fictitious name of The Motor Transport Company, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck service as a common carrier of freight between Los Angeles and Fresno via Bakersfield.

A public hearing on this application was conducted by Examiner Handford at Los Angeles, 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 1-round trip daily, serving

as intermediates the communities at Oak Flat, Sandorberg, Baileys, Lebec, Bakersfield, Tulare and Visalia.

Applicant relies as justification for the granting of the desired certificate upon the alleged fact that there is a large amount of perishable food products shipped daily from Fresno and points south thereof to Los Angeles, also a large quantity of perishables shipped north from Los Angeles and that these products could be moved more expeditiously by motor truck than by the existing methods of transportation and that the proposed route would serve communities not reached by railroad lines.

Witnesses testifying in behalf of applicant stated that the inauguration of a truck service such as proposed by applicant would be a convenience to shippers in Los Angeles and instances were cited regarding delays in the delivery of shipments originating in Los Angeles and destined to San Joaquin Valley points.

This application is protested by the United States Railroad Administration on behalf of its lessor, the Southern Pacific Railroad, and by the American Railway Express. Witnesses on behalf of protestant testified as to the time schedules and rates now offered by the railroad and the facilities of the American Railway Express and as to their opinion that the service was ample and at rates satisfactory to the shipping and receiving public.

There was no showing on behalf of applicant other than that of witnesses doing business in Los Angeles and as to the desire of such witnesses to have truck service established out of Los Angeles. There was no showing as to any desire on the part of Fresno, Bakersfield or any other community as to the necessity for this service, and in view of the fact that the Commission under date of December 27, 1919, by Decision Number 7063 on Applications Numbers 4852 and 4928, has authorized the establishment of two auto

truck lines as common carriers of freight and express between Los Angeles and Bakersfield, these applications being granted to parties having a considerable amount of equipment and investment ample to fully care for the demands of traffic over the proposed route as regards the territory between Los Angeles and Bakersfield, we are of the opinion that in view of such fact, no showing was made at the hearing on this proceeding which would justify this Commission in granting the application over the route herein sought.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the establishment by Curtis B. Locklin, operating under the fictitious name of The Motor Transport Company, of an automobile truck line as a common carrier of freight between Los Angeles and Fresno via Bakersfield; and

IT IS HEREBY ORDERED that this application be and the same hereby is denied.

Dated at San Francisco, California, this 20<sup>th</sup> day of February, 1920.

Elwin C. Ely  
H. D. Loveland  
Frank R. Durbin  
J. W. Martin

Commissioners.