

ORIGINAL

Decision No. 7341

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)	
Q. C. ALLISON for certificate of)	
public convenience and necessity to)	
operate freight service between Los)	Application No. 4436.
Angeles, California, and Long Beach,)	
California.)	
.....)	

Q. C. Allison in Propria Persona.

Frank Karr by R. C. Gortner for Pacific Electric Railway Company, Protestant.

Dana T. Smith and E. E. Bennett for United States Railroad Administration, Los Angeles and Salt Lake Railroad, Protestant.

Jas. H. Daly for City Transfer Van and Storage Company; Long Beach Transfer Company; American Transfer Company of Long Beach, Protestants.

BY THE COMMISSION:

ORDER

Q. C. ALLISON 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 Long Beach.

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 attached to the appli-

cation in this proceeding, to operate on a schedule of one round trip daily except Sundays, using as equipment one Studebaker truck, one ton capacity, licensed by State Motor Vehicle Department under License No. 435949.

Applicant relies, as justification for the granting of this application, upon the alleged fact that the present existing transportation companies do not give the character of service desired by the public in connection with the particular class of business applicant intends to handle.

It appears that the business handled by applicant and in which he has been engaged since November, 1918, is that of transporting garage and automobile supplies between Los Angeles and Long Beach; picking up and delivering shipments at any point in Long Beach and filling orders for consignees from any point in the wholesale and automobile supply districts of Los Angeles. Applicant has also handled shipments of cigars and tobacco and such shipments, together with the handling of automobile supplies and accessories, has constituted the entire business heretofore handled by applicant and such are the only classes of merchandise desired to be carried if this application should be granted.

The granting of this application is opposed by the United States Railroad Administration on behalf of its lessors, the Los Angeles and Salt Lake Railroad; the Pacific Electric Railway Company; the City Transfer Van and Storage Company; the Long Beach Transfer Company and the American Transfer Company of Long Beach. Protestants testified as to the schedules and rates offered the public and as to the equipment and service available.

The rates proposed by applicant are materially lower than those of the American Railway Express although the service is directly comparable; the rates are approximately the same as the less than carload rates of the Pacific Electric Railway and Los Angeles and Salt Lake Railroad although the rates of the railroad company are based on station to station service and do not include the items of pick up and delivery; such items consisting of additional expense to shippers and receivers of freight. The rates and service of the existing transportation companies hauling by motor truck between Los Angeles and Long Beach are designed to meet the requirements of the public in the transportation of general merchandise rather than for the specific class of shipments to which applicant has heretofore and in future intends to confine his business, which is principally a messenger service serving garages and automobile supply houses in the city of Long Beach with some small volume of business in the transportation of cigars and tobacco.

After thorough consideration of all the evidence in this proceeding, we are of the opinion that the service proposed by applicant, confining same to automobile supplies and accessories and cigars and tobacco, is desirable for the shippers and receivers proposed to be served.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Q. C. Allison of an automobile truck line as a common carrier of freight between Los Angeles and Long Beach; provided, however, that this authorization extends only to the transportation of automobile supplies and accessories and cigars and tobacco in accordance with the classification set forth in applicant's exhibit

as attached to and made a part of the application in this proceeding ; provided, further, that no authority is hereby conveyed for the transportation of any merchandise between Los Angeles and intermediate points the authorization being granted for this certificate for through service only between the communities of Los Angeles and Long Beach; and, provided, further, that the rights and privileges hereby granted may not be transferred or assigned unless the written consent 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 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 3^d day
of ^{April} ~~March~~, 1920.

Edwin O. Edgerton
A. D. Loveland
Walter K. Kellum
H. P. Brundage

Commissioners.