

ORIGINAL

Decision No. 7403.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of C. E.)
HARMON and A. LEASA, a co-partnership;)
for certificate of public convenience and)
necessity to operate freight service) Application
between San Bernardino and Los Angeles.)) Number 4494.

C. E. Harmon for Applicants.

Frank Karr and R. E. Gortner for Pacific
Electric Railway Company, Protestant.

BY THE COMMISSION:

O R D E R

C.E. Harmon and A. Leasa, partners in business operating under the fictitious name of San Bernardino and Los Angeles Truck Line, 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 San Bernardino and Los Angeles and intermediate points.

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.

Applicants propose to charge rates in accordance with a schedule marked exhibit "A" and attached to the application in this proceeding; to operate on a schedule of one round trip, daily, except Sunday, serving as intermediates the communities at Colton, Ontario and Pomona; equipment for proposed line has not yet been purchased pending decision on application for

certificate of public convenience and necessity.

One of the applicants testified as to the investigation made regarding the traffic possibilities on the proposed line and that he had received complaints from merchants that the existing service, as rendered by the Pacific Electric Railway Company, was not satisfactory. It is the intention of applicants to purchase a truck of two ton capacity using also a trailer if the demands of traffic warrant.

The granting of this application is opposed by the Pacific Electric Railway Company and a witness, on behalf of such protestant, testified as to the service and rates which were available on such line.

There was ^{no} evidence offered in support of this application other than that of one of the applicants and such evidence is not supported by any desire on the part of the public proposed to be served for a motor truck service as proposed by applicants. As the Commission has repeatedly stated in many of its decisions on applications for certificates of public convenience and necessity, the unsupported desire of applicants to enter the business of a common carrier is not a requisite showing nor an indication that public convenience and necessity require operation which may be proposed and there is no evidence before the Commission in this proceeding which would justify the granting of the desired application.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by C. E. Harmon and A. Leasa, a co-partnership, of a truck line as a common carrier of freight between San Bernardino and Los Angeles and intermediate points; and

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

Dated at San Francisco, California, this 8th day of April, 1920.

Edwin C. Edgerton

Francis R. Berlin

H. R. Brundage

Commissioners.