

ORIGINAL

Decision No. 7493

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of S. and M. Transfer for certificate of public convenience and necessity to operate auto freight service between Redondo Beach and Los Angeles, California.

) Application No. 5508.  
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Harry N. Blair for applicant.  
Paul Burks for The Atchison, Topeka & Santa Fe Railway Company.  
Frank Karr for the Pacific Electric Railway Company.

BY THE COMMISSION:

O P I N I O N

R. J. Stadler, doing business under the fictitious name of S. and M. Transfer, applies for authority to operate an automobile truck as a common carrier of freight between Los Angeles and Redondo.

Applicant's equipment consists of a 2 ton Atterbury truck which he wishes to operate one round trip daily between Los Angeles and Redondo, serving as intermediate points, Hyde Park, Inglewood, Lenox, Hawthorne, Hermosa and Manhattan Beach.

He has operated over this route since March 1, 1918. When he afterward learned of the Commission's requirements he filed tariffs and schedules, evidently understanding at the time that he had fully complied with the law,

not learning until recently that the law further requires that he procure certificate of public convenience and necessity.

Other carriers operating in this territory are the Pacific Electric Railway Company serving all of the above points except Hyde Park and Lenox; The Atchison, Topeka & Santa Fe Railway Company, serving all of the above points except Lenox and Hawthorne, Wagner's Inglewood Express, serving Hyde Park, Inglewood, Lenox and Hawthorne, and Redondo-Los Angeles Express, serving Hermosa, Manhattan Beach and Redondo. Each of the above carriers operate between the above points and Los Angeles.

Wagner's Inglewood Express and Redondo-Los Angeles Express were notified in ample time of the public hearing but did not appear. It is therefore assumed that they have no objection to the present service of applicant being continued and being properly authorized at this time.

Several patrons of applicant's line testified to the satisfactory character of his service and the need of its continuance, because of promptness in delivery of shipments, the advantage of store door deliveries, and the fact that Hyde Park, Lenox, Hawthorne and Manhattan Beach are non-agency stations and freight destined to such points must have charges prepaid and be left on platforms, without the custody or service of an agent.

#### O R D E R

A public hearing having been held upon the above entitled application, the matter having been submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by R. J. Stadler, doing business under the fictitious name of S. and M. Transfer of an automobile truck as a common carrier of freight between Redondo Beach and Los Angeles, serving as intermediate points Hyde Park, Inglewood, Lenox, Hawthorne, Hermosa and Manhattan Beach.

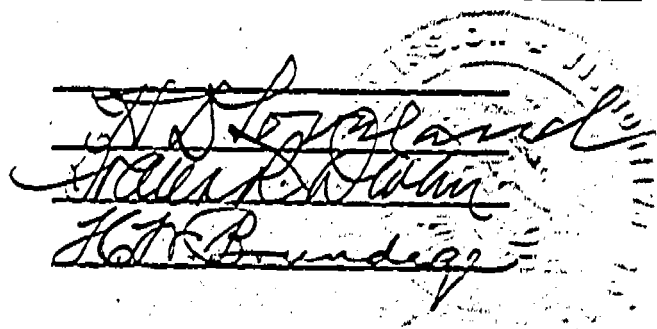
PROVIDED that the rights and privileges hereby granted may not be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been procured.

IT IS HEREBY FURTHER ORDERED that no vehicle may be operated in said service unless said vehicle is owned by the applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY ORDERED that the applicant shall within 20 days from the date hereof file with the Railroad Commission its schedule and tariffs covering said proposed service, which shall be in addition to proposed schedule and tariff accompanying the application, and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be within 90 days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effective until and unless the above condition is complied with.

Dated at San Francisco, California, this 26<sup>th</sup> day of April, 1920.

  
Commissioners.