

Decision No. 7.554

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
FLETCHER and TREMBLE for certificate
of public convenience and necessity to
operate auto truck service between
BIGCAMPION and RIVERSIDE and RIVERSIDE
and COLTON.

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:
) application No. 5137
:
)

Louis T. Fletcher and Merton Elwess for Applicants
Herbert W. Kidd for L. R. Kagarise, operating the
Keystone Express and T.R.Rex
Frank B. Austin, C.F. Donnatia and J. R. Downs, for
Southern Pacific Company.
Frank Karr and R. C. Gortner for Pacific Electric
Electric Railway Company.
W. R. Dollar for Atchison, Topeka & Santa Fe Rwy. Co.

BY THE COMMISSION

ORDER

Louis T. Fletcher and Elmer Tremble, partners in
business have petitioned the Railroad Commission for an order
declaring that public convenience and necessity require the
operation by them of an automobile stage line as a common carrier
of freight between Los Angeles and Riverside and San Bernardino.

A public hearing on this application was conducted
before Examiner Satterwhite at Riverside on April 1st, 1920, the
matter was duly submitted and is now ready for decision.

Applicants propose to charge rates in accordance with
an amended schedule attached to said application and to operate
on a time schedule, amended at the hearing, of one round trip daily,
using as equipment six auto trucks and three trailers, in accordance
with Exhibit "B" attached to the application.

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Southern Pacific Company, Atchison, Topeka & Santa Fe Railway Company, Pacific Electric Railway Company and the American Railway Express Company appeared in opposition to the application.

Applicants, by authority of the Commission, are now operating a through auto truck freight service between Los Angeles and San Bernardino by way of El Monte and Ontario. At the hearing applicants again amended their application for permit to operate a through auto freight service between Los Angeles and Riverside and San Bernardino by way of El Monte and Ontario.

Applicants testified that under this proposed service they would establish at Riverside and San Bernardino terminal depots where consignments of freight would be delivered and from these depots conveyed to the consignees. Under the proposed time schedule of applicants, freight consignments from Los Angeles would arrive at Riverside at 12:30 A. M. to be deposited at the terminal depot and later delivered to the consignees or merchants about seven or eight o'clock in the morning.

Applicants called as witnesses four merchants of Riverside. The testimony of these merchants was to the effect that they were willing to patronize the proposed line. It was not shown by these witnesses that they had conversed with other business men or merchants as to the need of this service or that any of them had any knowledge of any public necessity for this line other than their personal desire to see the same established; it was moreover admitted by these witnesses that the existing rail carriers were rendering a satisfactory service and that neither of them had any complaints against the protesting rail companies.

All of the protestants offered in evidence their rate and time schedules. Several witnesses consisting of

merchants and business men were called and testified that there was no public necessity for this proposed service.

It was shown that there is an organization known as the Business Men's Association of Riverside with a membership of over 100 members, made up almost entirely of merchants and business men; this association recently, in a meeting called for the purpose of discussing the needs at Riverside for an auto truck transportation service, passed a resolution that after a full consideration of the situation there was no public need for an auto truck service into Riverside.

The evidence of witnesses for protestants was to the effect that they had conversed with numerous merchants and business men of Riverside and it was the opinion of all of them that there was no demand for this proposed auto truck service. It was further shown that the protesting rail carriers had at all times rendered good, adequate and satisfactory service and that the business interests of the community were satisfied with the present transportation facilities and that there was no demand for any additional service.

The time schedules of protesting carriers, it was shown, are just as favorable as the time schedule of the proposed service and that all delivery of freight was now being made promptly and with entire satisfaction to merchants and business men of the community.

After a full consideration of the evidence, we are of the opinion that the application should be denied.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by Fletcher and Tremble of an automobile stage line as a common carrier of freight between Los Angeles and Riverside and San Bernardino.

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

Dated at San Francisco, California, this 10th day of May, 1920.

Edwin C. Edgerton
H. D. Lyndland
William K. Wilson
H. B. Pennington
George Martin
Commissioners