

Decision No. 7642

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application)	
of E. G. STINSON for certificate	:	
of Public Convenience and Necessi-)	Application No. 5500.
ty to operate special delivery	:	
truck service between Orange and)	
Los Angeles.	:	

F. C. Drum for applicant.
 S. B. Cowan for Triangle & Orange County
 Express.
 Thomas Richards for Thomas Richards Express.
 W. H. McGann for H. J. Morgan and W. H. McGann
 (Successors to J. T. Simmons Express Co.)
 Frank Karr and G. F. Squires for Pacific
 Electric Railway Company.

BY THE COMMISSION.

O P I N I O N

E. G. Stinson applies for authority to operate "special delivery auto truck service between Orange and Los Angeles."

A public hearing was held upon the above entitled application before Examiner Westover at Orange, California.

Applicant is engaged in the dairy business and uses a truck to carry his own milk. This truck is used to about one half capacity and he desires authority to utilize its remaining capacity as a common carrier of freight. Applicant considers that his proposed service is different from the service of the present carriers in that his proposed schedule is more convenient and he contemplates a "buy-out" service, under which drivers would make purchases in Los Angeles for patrons and bring the

goods back with them.

The Pacific Electric Railway Company, Triangle and Orange County Express, Thomas Richards Express, and Messrs. Morgan and McCann protest the granting of the application on the ground that there is at present adequate service, upon reasonably convenient schedules; and, that the truck lines and the American Railway Express Company, -the latter at present operated over the Santa Fe Railway, -have a similar "buy-out" service. The testimony clearly shows that the protests are well founded in fact, although it appears that the "buy-out" service of the truck lines is not advertised, or well known to the people of Orange. The present schedules of the carriers and the proposed schedule of applicant are as follows:

	<u>Lv. Los Angeles</u>	<u>Arv. Orange</u>
Triangle & Orange County Express	3:00 P.M.	5:30 P.M.
Richards Express	5:00 A.M.	8:30 A.M.
Stinson (Applicant)	1:00 P.M.	3:00 P.M.

Applicant's testimony with reference to adequacy of the present service was limited almost exclusively to the needs of those who operate private trucks during the fruit season and who have occasion to procure parts from Los Angeles wholesalers in order to repair broken trucks, and that they found it quicker to go to Los Angeles in a private automobile and get the parts and return than to patronize the present carriers. Where delays were testified to in connection with service by the present truck lines, it appeared that orders for parts were placed with agents in Orange and the matter of having the orders filled and the goods routed was left to the Orange agents, and

witnesses could not tell whether the delay occurred in placing or filling the orders, or with the truck lines in delivering them. In no instance testified to was the order telephoned direct to ^{the} Los Angeles shipper with instructions to deliver the goods to the carrier in time for a specified trip. Schedules of truck lines are usually designed to serve the needs of the general public. Instances will naturally arise where the regular schedules will not meet the needs of individual cases of emergency. If changes in schedules will better serve the public, ~~public~~ present schedules can readily be changed if desired by the carriers. They are also prepared to furnish additional service, if that be required.

O R D E R

Public hearing having been held in 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 do not require the operation by E. G. Stinson of a special delivery auto truck service between Orange and Los Angeles.

IT IS HEREBY ORDERED, therefore, that the above entitled application be and the same is hereby denied.

Dated at San Francisco, California, this 27th day of May, 1920.

Edwin O. Ely
John R. K. K. K.
James M. M.
Commissioners.