

ORIGINAL

Decision No. 7695.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application)	
of K. HEEBORAN & A. TATARIAN for)	
certificate of public convenience)	
and necessity to operate express)	Application No. 4634.
service between Downey and Los)	
Angeles.)	

In the Matter of the Application of)	
W. W. Van Deusen for certificate of)	
public convenience and necessity)	
to operate express service between)	Application No. 4636.
Downey, Hynes, Clearwater, and Los)	
Angeles)	

Walter E. Burke for Applicants.
 E. J. Cross and W. H. Jones for
 United States Railroad Admin-
 istration; Southern Pacific
 Railroad, Protestant.
 Frank Karr; for Pacific Electric
 Railway Company, Protestant.

BY THE COMMISSION:

ORDER

K. Heeboran and A. Tatarian; 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 truck line as a common carrier of express between Downey and Los Angeles and intermediate points.

W. W. Van Deusen has petitioned the Railroad Commission for an order declaring that public convenience and necessity requires the operation by him of an automobile truck service as a common carrier of express between Downey, Hynes, Clearwater, Los Angeles and intermediate points.

A public hearing on the above applications was conducted by Examiner Handford at Los Angeles at which time the matters were consolidated for hearing and decision and were duly submitted.

Applicants; Heeboran and Tatarian, propose to charge rates in accordance with a schedule marked exhibit "A" and filed with the application in this proceeding; to operate on a daily schedule serving as intermediates the communities at Downey Road, Clearwater, Bell, ^{and} Huntington Park; using as equipment one Kimball truck, one and one half ton capacity.

W. W. Van Deusen proposes to charge rates in accordance with a schedule marked exhibit "A" and attached to the application in this proceeding; to operate a daily service serving as intermediates the communities at Huntington Park, Bell, Downey, Laguna Bell, Hynes and Clearwater; using as equipment one G. M. C. Truck; two ton capacity.

It appears from the evidence in this proceeding that applicants are engaged in the hauling of milk which is picked up at ranches along the routes herein applied for and transported to various creameries in the city of Los Angeles, the return haul consisting of empty milk containers and such other merchandise or supplies that may be destined to points along the route.

The granting of this application is protested by the Pacific Electric Railway Company and by the United States Railroad Administration on behalf of its lessor, the Southern Pacific Railroad. These protestants claim to be in position to render adequate service and at reasonable rates for all merchandise which may be offered for transportation between Los Angeles and their stations serving the communities on the routes as proposed by applicants herein.

It appears from the evidence in this proceeding that the transportation of milk and dairy products from the ranches to the creameries at Los Angeles is more satisfactorily cared for by motor truck transportation than by the facilities of the protestant railroads. The transportation of milk requires prompt movement direct to the creameries in order that same may be delivered in a condition that will pass satisfactory inspection as to bacteriological count otherwise the milk is graded lower and commands a lesser price if accepted by the creamery. There appears no reason nor was there any showing made by applicants justifying the Commission in granting the desired certificates as covering the movement of merchandise as a back haul from Los Angeles to points on the route herein applied for and in granting these applications applicants will be confined to the hauling of such merchandise as may be destined directly to the ranches from which the milk shipments are made, such shipments consisting principally of feed and merchandise incidental to the conduct of the dairy business.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity requires the operation by K. Heeboran and A. Tatarian, partners in business, of an automobile truck line as a common carrier of express between Downey and Los Angeles and intermediate points, the intermediate points being Clearwater, Bell and Huntington Park; provided, however, that no authority is conveyed by this certificate for the transportation of other commodities than milk, cream and dairy products to Los Angeles and of merchandise from Los Angeles destined only to the ranches from which milk or dairy products are collected for shipment to Los Angeles, such merchandise to consist of feed and other shipments of supplies necessary in the conduct of the dairying business and provided further

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 secured .

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by W. W. Van Deusen of an automobile truck line as a common carrier of express between Downey, Hynes, Clearwater, and Los Angeles, such intermediate communities being Huntington Park, Bell Station, Laguna Bell, Hynes and Clearwater; provided, however, that no authority is conveyed by this certificate for the transportation of other commodities than milk, cream and dairy products to Los Angeles and of merchandise from Los Angeles destined only to the ranches from which milk or dairy products are collected for shipment to Los Angeles, such merchandise to consist of feed and other shipments of supplies necessary in the conduct of the dairying business and; provided further; 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 secured.

IT IS HEREBY ORDERED that no vehicle may be operated by applicants herein unless such vehicle is owned by such applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

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

Edwin O. Edgerton
W. W. Van Deusen
George Martin

Commissioners.