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Decision No. 77758

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 HANS P. CHRISTENSEN, for certificate)
 of public convenience and necessity :
 to operate a freight service between) Application No. 5408
 the City of Santa Barbara and the)
 Town of Los Olivos, both in Santa)
 Barbara County, California. :

S. H. Lyons for Applicant
 H. C. Booth, for Southern Pacific Company, Protestants.

BY THE COMMISSION.

ORDER

Hans P. Christensen has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of freight between the City of Santa Barbara and the Town of Los Olivos, Santa Barbara County and intermediate points.

A public hearing on this application was conducted before Examiner Satterwhite at Santa Barbara, on May 10th, 1920, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with the schedule marked Exhibit "A" filed with said application and to operate on a time schedule of one trip one way daily in accordance with Exhibit "B" attached to said application, using as equipment one two ton Mack truck.

Southern Pacific Company appeared in opposition to the application.

Applicant testified in his own behalf and called other witnesses in support of the public necessity for this proposed service. The rail line of the protestant extends to Gaviota and all freight carried to any points beyond Gaviota over this proposed auto freight line is conveyed by auto trucks or wagons.

The evidence of applicant shows that the merchants and business men at Solvang, Los Olivos and Santa Ynez desire this service. It was shown that there is often difficulty and delay in getting prompt freight shipment from Santa Barbara and various points over this line beyond Gaviota.

There is quite a large shipment in the fruit season of peaches, grapes, apples and berries, and the transportation over the protesting rail line of this character of perishable produce is often delayed and the purchasers of these perishable fruits desire this proposed auto truck service which will give them more prompt and satisfactory delivery to Santa Barbara.

Testimony was also given to the effect that the farmers and business men along this proposed line and particularly in Santa Ynez Valley have requested and actually need this service which will afford a more satisfactory and prompt transportation of goods and merchandise.

The Southern Pacific Company offered in evidence their tariff and time schedule between Santa Barbara and Gaviota. The time schedule shows a tri-weekly service to Gaviota and the testimony of protestant also indicated that the traffic handled by them would not justify a daily service.

After a careful consideration of the evidence we are of the opinion that the application should be granted.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Haas P. Christensen of an automobile stage line as a common carrier of freight between the City of Santa Barbara and the Town of Los Olivos, Santa Barbara County and intermediate points.

Provided, however, that the rights and privileges herein authorized 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 ORDERED that applicant file with the Railroad Commission within ten days from the date of service of this order a written acceptance of the certificate herein granted, such acceptance to contain advice as to the date upon which service will be commenced, which date shall not be more than 90 days from the date of service of this order.

IT IS HEREBY FURTHER ORDERED that no vehicle may be operated under this certificate, unless such vehicle is owned by applicant herein, or is leased by said applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 19th day of June, 1920.

Edwin D. Egerton
W. H. Toland
Walter H. White
H. C. ...
Dwight ...
Commissioners.