

Decision No. 2825-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
K. E. Ebenstreit and C. P. Ebenstreit,
copartners, operating as The Globe Truck
Co., for Certificate of Public Convenience
and Necessity to operate freight service
between Los Angeles and Long Beach, San
Pedro and Wilmington, California.

ORIGINAL

APPLICATION NO. 5546.

BRUNDIGE, COMMISSIONER:

O P I N I O N

In this application K. E. Ebenstreit and C. P. Ebenstreit, copartners, operating as Globe Truck Company, have petitioned the Railroad Commission for certificate of public convenience and necessity to operate an automotive freight service between Los Angeles and Long Beach, San Pedro and Wilmington.

The applicants are local expressmen doing a general hauling business in Los Angeles and whose desire it is to enter into a contract with Stetson-Barrett Company to haul their freight from Los Angeles to the beach points mentioned, and, in addition thereto, would hold themselves out as a common carrier.

The testimony presented in this proceeding was devoid of any evidence that public convenience and necessity require the service applied for, but the applicant, K. E. Ebenstreit, indicated that for the present it is their desire to operate on contract to be negotiated with Stetson-Barrett Company for handling their goods only, and it was developed that the main reason Stetson-Barrett Company desires the service is because the applicants had agreed

not to apply a minimum charge per shipment, whereas the other carriers do apply such a charge.

This Commission has repeatedly held that the desire of an applicant to enter the business of a transportation company is not a measure of public convenience and necessity.

There are now operating between Los Angeles and Long Beach, San Pedro and Wilmington several motor truck transportation lines. In addition thereto, several lines of railroads operate an apparently adequate freight service, and the American Railway Express Company operates a fast express service on the passenger trains of these railroads; the evidence did not indicate that the service already existing is inadequate. Therefore, it was not shown that public convenience and necessity require any additional service.

I submit the following form of order:

O R D E R

IT IS HEREBY ORDERED that public convenience and necessity do not require the automotive freight service proposed by the applicants in this proceeding and this application should be and the same is hereby denied.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 14th day of July, 1920.

Edwin O. Edgell
H. L. Glass
John R. Wilson
H. A. Brundage
Dwight Martin
Commissioners.