

McS

Decision No. 8107

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
H. FRASHER for certificate of public)
convenience and necessity to operate : Application No. 5643
Tulare Truck Line service between)
Fresno and Traver, Goshen, Tulare.)

ORIGINAL

I. P. Aten for Applicant
Frank B. Austin, C.R. Fleming & P.
Slater for Southern Pacific Company, Protestant-
Paul Barks & F. L. Hanna for Atchison, Topeka
and Santa Fe- Protestant -
G. S. Reed for American Railway Express-Protestant-

BY THE COMMISSION.

ORDER

H. Frasher, doing business under the fictitious name of Tulare Truck Line, 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 Fresno and Tulare and intermediate points.

Applicant proposes to charge rates in accordance with a schedule marked Exhibit "A" filed with said application and to operate on a schedule of one round trip daily, using as equipment one 2½-ton Pageol Truck and trailer.

A public hearing on the above named application was conducted before Examiner Satterwhite on May 13, 1920, the matter was duly submitted and is now ready for decision.

The Southern Pacific Company, the Atchison, Topeka & Santa Fe Railroad, and the American Railway Express protested the granting of this application.

Applicant testified in support of the application and called no other witnesses. His testimony shows that he has been hauling under contract goods, wares and merchandise for a certain limited number of merchants doing business at various intermediate points along the proposed route.

This evidence shows no doubt that applicant serves the convenience of these merchants as a contract carrier, but it falls far short of showing that public convenience and necessity will be served by the granting of the application.

The protesting rail carriers introduced in evidence their respective tariff and time schedules and also gave testimony to the effect that they were rendering a first class and adequate service to meet all the needs of freight traffic over the proposed line.

After a careful consideration of the testimony, 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 H. FRASHER of an automobile stage line as a common carrier of freight between Fresno and Tulare and intermediate points.

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

Dated at San Francisco, California, this 16th day of September, 1920.

H. S. Loveland
Frank R. Dutton
H. B. ...
Dwight ...
Commissioners