

MCS

Decision No. 8670

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of the)
INLAND EXPRESS for certificate of public)
convenience and necessity to operate freight : Application No. 6189
auto truck service between San Diego and)
Los Angeles.)

Chas. Boynton for Boulevard Express
S. C. Payson for Atchison Topeka & Santa
Fe. Co.
C. A. Townsend for American Railway Express.
H. J. Bishoff for R. Roy Whetstone, Roy Jacques
and Escondido Truck Line.
Wirt Francis for applicant.

BY THE COMMISSION.

O R D E R

Phil Wampler doing business under the firm name of Inland Express 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 San Diego and Los Angeles and intermediate points, said service to be established over what is known as the Inland Route via Escondido, Fallbrook, Elsinore and Riverside.

A public hearing on this application was conducted by Examiner Satterwhite on November 10, 1920, at San Diego, at which time the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with Exhibit "A" attached to said application and to operate a daily service, one truck leaving each terminus at 5 A. M. daily, using as equipment two three and one-half ton Master Trucks.

The Atchison Topeka & Santa Fe Railroad, American Railway Express, Boulevard Express, R. Roy Whetstone, Escondido Truck Line and Roy Jacques protested the granting of this application.

The applicant testified to the effect that he had consulted certain merchants doing business at Fallbrook, Elsinore, and Bonnell, which are small towns between Riverside and Escondido and that they promised him patronage if he would establish this proposed service. It also appears from the testimony of two representatives of wholesale firms at San Diego that if this line were established they could sell some goods and merchandise at Fallbrook and Elsinore and adjacent territory.

The territory in the vicinity of Fallbrook and Elsinore is a farming section producing vegetables and some citrus fruits.

Applicant offered no testimony to show that there was any public necessity for this service between Los Angeles and San Diego or between Los Angeles and Riverside or between San Diego and Escondido. Applicant offered no testimony whatever to show that the transportation service of any of the protestants appearing at the hearing was inadequate or unsatisfactory, but, on the contrary admitted that all protestants were rendering a good service.

The protesting rail carriers offered in evidence their rate and time schedules and testified to the adequacy of their service. It also appears that R. Roy Whetstone, protestant, is operating a satisfactory service between Escondido and Los Angeles via Oceanside, operating three trucks on a schedule of three times a week each way. The Escondido Truck Line operates a daily service between San Diego and Escondido and has four trucks in operation. Roy Jacque also operates a truck line between San Diego and Oceanside and furnishes a daily service each way. There was testimony to the effect that these protesting lines are adequate for all transportation purposes between the points proposed to be served and that there is no need for this additional service.

After a careful consideration of all the evidence in this proceeding, we are of the opinion that the application should be denied.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity does not require the operation by Phil Wampler, doing business under the firm name of Inland Express, of an automobile stage line as a common carrier of freight between San Diego and Los Angeles and intermediate points.

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

Dated at San Francisco, California, this 20th day of January, 1921.

Frank Devlin
H. W. ...
Irving Martin

Commissioners