

Decision No. 9177

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

JOE BOZOFF,

Complainant,

vs.

BOB ARUTOFF,

Defendant.

Case No. 1540

In the Matter of the Application of JOE BOZOFF for certificate of public convenience and necessity to operate motor truck service between point on Western Avenue and Los Angeles.

Application No. 6593.

In the Matter of the Application of Bab Arutoff for certificate of public convenience and necessity to operate milk route freight truck service between Los Angeles and dairy ranches in vicinity of Athens and Rosecrans.

Application No. 6613.

Frank R. Carrell for Joe Bozoff
William Lewis and Guy Lewis, by Guy Lewis,
for Bab Arutoff.

BY THE COMMISSION:

O P I N I O N

The issue raised by the pleadings in Case No. 1540 is whether defendant is illegally hauling milk originating at

points near Freeman and Western Avenues, not on his authorized route, and whether he disregarded directions from the Commission to discontinue such illegal operations.

By the applications both parties seek authority to extend their service to the territory in question, and also to the vicinity of Athens, and to the vicinity of Perry, all in Los Angeles county.

A public hearing in the above matters was held by Examiner Westover at Los Angeles.

One William Nieman formerly operated a milk hauling service collecting milk from dairies in the vicinity of Strawberry Park and Rosecrans and lying between Athens and Perry. He used two trucks in the service, each covering a different route. Later, by authority of the Commission he sold one of these routes to Sarop Mektaroff and complainant Bozoff as partners and the other to defendant Arutoff. Because of disagreements as to equipment and service, complainant bought the interest of his partner Mektaroff and since about November 22, 1920 he has operated as an individual.

There are several dairies near Freeman Avenue, east of Western Avenue, some at Perry, to the southwest of the territory in question, and some near Central Avenue and 122d Street to the northeast, which need service. Defendant extended his service to these localities without authority, but ceased after being notified by the Commission's service inspection department to do so.

Both applicants are ready, willing and able to give all the service needed, their rates being the same and their schedules very similar.

ORDER

A public hearing having been held upon above applications and in the above case, the matter being submitted and

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ready for decision,

The Commission hereby declares that public necessity and convenience require Joe Bozoff to operate an auto truck service for the common carriage of milk and dairy products between Los Angeles and a territory embraced in the following described route, as extended pursuant to Application No. 6593, to-wit: Starting at Nigger Slough in Los Angeles County, on Main street to Walnut street, on Walnut street to Figueroa street, on Figueroa street to Wilmington street, on Wilmington street to Normandia street, on Normandia street to Electric Avenue, on Electric avenue to Western avenue, on Western avenue to Amestory avenue, thence on Western avenue to Freeman street, on Freeman street to Chestnut street, on Chestnut street to Carter avenue, thence on Western avenue and back on Carter avenue to Vermont avenue, on Vermont avenue to Olive street, on Olive street to Western avenue, back on Western avenue to Vermont avenue, on Vermont avenue to Rosecrans avenue, on Rosecrans avenue to Main street, thence to Los Angeles, and requires Bab Arutoff to operate such service between Los Angeles and a territory embraced in the following described route as extended pursuant to Application No. 6613, to-wit: Starting at Main and Olive streets in Los Angeles County, thence on Olive street, to Blakes, back on Olive street, to Arlington street, on Arlington street, to Electric avenue thence to Perry, 2½ miles and back to Arlington and Electric avenues, thence on Electric avenue to Western avenue, thence on Western avenue to Washington street, thence on Washington street to Moore avenue, thence on Moore avenue to Connecticut street, thence on Connecticut street to Los Angeles street, thence on Los Angeles street to Central street, thence on Central street

to Main street, thence on Main street to 126th street, thence on 126th street to Central avenue, thence on Central avenue to 122d street, thence on 122d street to Main street, thence on Main street to Los Angeles.

The operative rights and privileges hereby established may not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

No vehicle may be operated in said service unless said vehicle is owned by the applicants herein or is leased by said applicants under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY ORDERED that applicants shall within twenty days from the date hereof file with the Railroad Commission their schedules and tariffs covering said proposed service, which shall be in addition to proposed schedule and tariff accompanying the application, and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be within ninety days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effective until and unless the above mentioned schedules and tariffs are filed within the time herein limited.

IT IS HEREBY FURTHER ORDERED that the complaint of Joe Bozoff in Case 1540 considered in these proceedings

be and the same hereby is dismissed.

Dated at San Francisco, California, this 29th
day of June, 1921.

H. B. ...

J. ...

J. ...
Commissioners.