

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
MIDWAY SUPPLY COMPANY, a corporation, )  
for certificate of public convenience )  
and necessity to operate freight and )  
express truck service between Ludlow )  
and Los Angeles and intermediate )  
points between Ludlow and Barstow. )  
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Application No. 6723.

Lloyd Wright, for Applicant,  
E. E. Bennett, for Los Angeles & Salt Lake Railway Company,  
F. A. Woods, for American Railway Express Company,  
E. F. Lucey, for Atchison, Topeka and Santa Fe Railway Company.

BY THE COMMISSION:

O P I N I O N

Midway Supply Company, a corporation, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by it of an automobile truck service as a common carrier of freight and express between Los Angeles and Ludlow, San Bernardino and Ludlow, and Barstow and Ludlow, serving only the intermediate points of Nebo, Daggett, Yermo, Water, Troy and Levic.

A public hearing on this application was conducted before Examiner Satterwhite at Los Angeles on June 28, 1921, at 10:00 A. M.; the matter was submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with Exhibit "A", attached to said application, and to operate at least two through trips weekly, in accordance with Exhibit "B", attached to said application, and will, soon after commencement of operations, file with the Commission a more detailed and definite time schedule of the proposed service and will use

the equipment described in Exhibit "C", attached to said application, which will be augmented by other trucks as the service may demand.

The Atchison, Topeka And Santa Fe Railway Company, Los Angeles and Salt Lake Railroad, and American Railway Express Company appeared in opposition to the application.

The applicant was incorporated a few months ago to operate a general merchandise supply house at Water, its stockholders for several years theretofore, having conducted this same general merchandise store, and having always done a profitable business with the farmers and residents on the desert between Barstow and Ludlow.

The testimony of applicant shows that there are about thirty-five farmers in this desert territory who are now and have been for some time dissatisfied with the transportation service of the protesting rail carriers and nearly all of whom have requested the operation of this proposed service. It appears that many of these farmers have invested in their desert ranches sums ranging from \$5,000 to \$50,000. The dissatisfaction of these farmers lies in the fact of their inability to secure by rail prompt transportation and delivery of shipments in the territory proposed to be served. It was shown that orders are made generally by mail to the commercial houses at Los Angeles and San Bernardino and many days elapse before deliveries to consumers or consignees are made after the shipments have been delivered to the railroad company. The intermediate points of Nebo, Troy and Lavin are mere sidings on the railroad line and the village of Water is the chief receiving and distributing point in the center of this desert territory. It was shown that at least sixteen farmers who live within a radius of five miles from Water use this point to ship and receive their freight and supplies and many delays and difficulties are experienced by them in loading and

unloading the freight cars on account of the fact that there is an overflow of water at the railroad track which prevents a prompt and accessible approach thereto.

Applicant proposes to operate a pick-up and delivery service, using its heavy trucks on the through route of the main highway, and augmenting this service by lighter trucks at the various intermediate points to deliver and receive consignments from the farmers and other shippers. It is the plan of applicant to call on these desert farmers to receive their orders, which will be filled at Los Angeles, or at the other points, and deliver them within the shortest space of time possible. There was testimony to the effect, by merchants and business men at Ludlow, Daggett and other points, that this expedited service will afford them a more satisfactory delivery of perishable freight, such as fruit and vegetables. The chief shipments made by these farmers out of the desert are alfalfa, hogs, turkeys, chickens and other miscellaneous products.

The protesting rail carriers introduced in evidence their rate and time schedules on file with the Commission, which indicate that a triweekly service is made to the points proposed to be served by this applicant, but the Salt Lake Railroad Company serves only the towns of Daggett and Yermo. The American Railway Express Company introduced in evidence an exhibit indicating their rates per 100 pounds and its train service, which shows that there are six trains daily available for the shipment of express matter, but no delivery or pick-up service is made by this protestant except at Los Angeles.

After a careful consideration of all the evidence, we are of the opinion and find as a fact that public necessity and convenience require the operation by said applicant of this proposed service and the application should be granted.

O R D E R

A public hearing having been held in the above application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Midway Supply Company, a corporation, of an automobile truck service as a common carrier of freight and express between Los Angeles and Ludlow, San Bernardino and Ludlow, and Barstow and Ludlow, serving only the intermediate points of Mebo, Daggett, Yermo, Water, Troy and Lavic.

Provided, however, that 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 secured; and,

Provided further, that no vehicle may be operated in said service unless said vehicle is owned by the applicant herein, or is leased by the said applicant under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY ORDERED that applicant shall, within twenty days from the date hereof, file with the Railroad Commission its time schedules and freight and express tariffs, covering said proposed service, which shall be in addition to proposed schedules and tariffs 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 sixty days from date hereof, unless time to begin

operation is extended by formal supplemental order.

Dated at San Francisco, California, this 5<sup>th</sup> day  
of August, 1921.

H. B. Brundage

H. D. Loveland

Dwight Masten

J. P. Messer