

EBR

Decision No. 9687

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of M.C. STOKES for certificate  
of public convenience and neces-  
sity to operate auto freight and  
express service between San Diego,  
California, and Coronado, California.)

Application No. 7080.

ORIGINAL

Warren E. Libbey, for Applicant.

BY THE COMMISSION:

O P I N I O N

M.C. Stokes has applied to the Railroad Commission for a certificate of public convenience and necessity to operate auto freight service between San Diego and Coronado.

A public hearing was held at San Diego by Examiner Williams.

Applicant produced only one witness as to the need of this service, but this witness, George W. Wood, of Coronado, was sufficiently informed as to the situation as to the importance of establishing such a service as applicant proposes. He testified that there is a permanent population of 4000 and a transient population of about 1500. For many years he has managed his own rental properties and those of others. Transportation between the two cities has been made at irregular periods and at fluctuating prices, by unregulated transfer men. There is no authorized auto

truck carrier now established between the two cities, which are separated only a short distance by water, with frequent ferry service. The San Diego and Arizona Railway, the sole rail carrier reaching Coronado, maintains only twice a week delivery of car load lots, with delivery at a siding.

The movement of freight traffic is into Coronado Beach with only slight return movement. Applicant testified that he estimates the daily tonnage at from twenty to thirty-five tons from San Diego to Coronado Beach, and a return movement from three to four tons daily. The city of Coronado Beach is a health and pleasure resort, with good mercantile establishments but no industries.

In view of these facts, as explained by Mr. Wood and the applicant, the need of a regulated carrier between the two places may be deemed sufficiently established, without additional corroborating testimony.

Applicant proposes a schedule of rates which is fair, except as to minima. The rate structure differentiates rates as to three zones in San Diego, and two zones in Coronado. While there may be reason for different rates in San Diego, because of its large area, there is no justification for two zones in Coronado Beach, discriminating against the Tent City district. Applicant will be permitted the zones as applied for in San Diego, but will be required to make pickup and delivery in Coronado Beach without zone division or difference in rates.

The minima fixed by applicant are excessive and should be established at 40 cents on all rates shown in the

application. The probable haul does not justify the minima proposed. And in addition, the area at Coronado to be delivered to is so much smaller than the area contributing the freight, as testified by applicant, that the rates proposed would, without excuse, discriminate against the Tent City district. Applicant will, also, when filing his rates herein, as further provided, omit any special trip rates. He has in his application proposed rates for "Trunks -- Special trip", etc. To permit such rates invites the carrier to make unnecessary trips in the guise of "Special", when the regular service is adequate, and adds temptation to exploit patrons for higher rates.

#### ORDER

M.C. Stokes having applied to the Railroad Commission for a certificate of public convenience and necessity to operate auto freight service between San Diego and Coronado, a public hearing having been held, the matter having been duly submitted and being now ready for decision

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA  
HEREBY DECLARES that public convenience and necessity require the operation by M.C. Stokes of auto freight service between San Diego and Coronado, via San Diego and Coronado Ferry Company's boats, and that a certificate of public convenience and necessity be and the same hereby is granted, subject to the following conditions:

- I - That applicant, M.C. Stokes, shall file within fifteen (15) days from date hereof, his written acceptance of the certificate herein granted, and shall file within thirty (30) days of the date hereof, duplicate tariff of rates and time schedules, in accordance with General Order No. 51 of the Railroad Commission.

II - That applicant, M.C. Stokes, shall not sell, lease, assign or discontinue the service herein authorized, unless such sale, lease, assignment, or discontinuance shall have been authorized by the Railroad Commission.

III- That no vehicle shall be operated by applicant unless such vehicles are owned by said applicant, or are leased under an agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 31<sup>st</sup>  
day of October, 1921.

H. B. Bridge  
H. D. Loveland  
Irving Martin  
Lucas H. Kline  
J. H. French  
Commissioners.