

Decision No. 9746

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
ROY T. AMES and W. G. LEONARD for
certificate of public convenience
and necessity to operate freight
truck service between Los Angeles
and Corona and adjacent farming
territory.

)
Application No. 7183.

In the Matter of the Application of
K. F. BEYERLE for certificate to ex-
tend present service of the Marietta
Valley Motor Freight Express line to
serve the town of Corona, California.

)
Application No. 7296.

Roy T. Ames for Ames and Leonard.
K. F. Beyerle in propria persona.
H. W. Kidd and Rex Hardy for J. K. Hawkins,
M. Anderson, Keystone Express, and T. K.
Vance.
Harry N. Blair for Chino Express and Hodge
Transportation System.
E. T. Lucey for Atchison, Topeka & Santa Fe
Railway Company.
R. C. Gortner and T. J. Day for Pacific
Electric Railway Company.

BY THE COMMISSION.

O P I N I O N

Public hearings were held by Examiner Westover at Los Angeles upon the above entitled applications for authority to operate freight service between Los Angeles and Corona only.

When the Ames and Leonard application was called for hearing, October 21, 1921, they withdrew it so far as it related to territory outside of the city limits of Los Angeles and Corona; and it appearing that witnesses from Corona whom they had asked to appear had declined to come, but had not been subpoenaed, and

opposition to their motion for continuance having been subsequently withdrawn, the matter was continued for further hearing until November 1, 1921, and subsequently reset for hearing November 3, 1921, at which time no appearance was made for them or in their behalf.

When the Ames and Leonard application was called on October 21, 1921, F. K. Beyerle showed that he was operating a freight service between Los Angeles and Elsinore and various intermediate points, that his original application had been denied as to service to and from Corona, but that if anyone were to serve Corona he should be permitted to add it to the points served by his line now passing through Corona. The Examiner suggested to him that he should at once prepare and file an application to be heard in connection with the Ames and Leonard application on November 1st. Because of conflicting dates on the Commission's calendar, both applications were subsequently reset for hearing on November 3, 1921, when both matters were again called for hearing, but Ames and Leonard failed to appear.

Applicant Beyerle presented, in support of his application, his own testimony from which it appears that during the last eight months he has received frequent requests from Los Angeles shippers for service to Corona, which had been declined for lack of authority, although in a few instances shipments had been taken for Corona upon payment of the rate to Elsinore, the end of the line; but he had had almost no calls from Corona people, although they, as consignees, pay the freight charges and control the routing of goods.

It appears from the testimony of the carriers that there is an express service, three round trips per day and one extra trip westbound, at convenient hours; that the Santa Fe for a number of years has operated a merchandise car leaving Los Angeles at 9:00 P.M., arriving at Corona before 12:00 o'clock midnight, with goods ready for delivery by 7:30 A.M. the following morning; that the drayage

charge in the Corona business district is 4¢ per hundred, with a 10¢ minimum; and that there have been no complaints to the railroad company of its present service.

The Pacific Electric Railway Company also operates a daily freight service, taking freight delivered to its freight house by 4:30 P.M. and delivering it the next morning in Corona between 7:30 and 8:30.

It appears from the testimony of the president of the Chamber of Commerce that all of the members whom the witness had interviewed were opposed to truck service and were thoroughly satisfied with rail service, feeling that truck service would result in crippling the present satisfactory rail service. The witness expressed the opinion that this was the sentiment of 90% or 95% of the shippers. The same sentiment is expressed in an editorial appearing in the Corona "Independent" of October 13, 1921.

In the course of the testimony, counsel for the Pacific Electric Railway Company moved that the testimony might be considered as in evidence in the Ames and Leonard application, which motion was granted.

ORDER

Public hearings having been held upon the above entitled applications, both matters being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require that Roy T. Ames and W. G. Leonard, partners under the name of Ames and Leonard, or K. F. Beyerle, or any other transportation company, furnish automotive freight truck service between Los Angeles and Corona.

IT IS HEREBY ORDERED that Application No. 7183 of said Ames and Leonard, and Application No. 7296 of said K. F. Beyerle, be and they are respectively hereby denied.

Dated at San Francisco, California, this 10th day of November, 1921.

H. B. Brundage

James M. ...
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Commissioners.