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Decision No. 23989

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 TRULOVE TRANSFER COMPANY, a co-)
 partnership, for a certificate of)
 public convenience and necessity to) Application No. 23989
 operate truck service as a common)
 carrier between Inglewood and El)
 Segundo.)

ROBERT BRENNAN and M. W. REED for Applicant.

H. J. BISCHOFF for Southern California Freight Lines and Southern California Freight Forwarders, Protestants.

ARLO D. POE for S. & M. Transfer Company, Protestant.

BY THE COMMISSION:

O P I N I O N

Thomas E. Trulove and O. L. Trulove, doing business as Trulove Transfer Company, filed the above-entitled application February 8, 1941. They seek thereby a certificate of public convenience and necessity authorizing them to operate a highway common carrier service for the purpose of picking up and delivering traffic for The Atchison, Topeka and Santa Fe Railway Company (hereinafter referred to as Santa Fe) in the city of Inglewood and in a small portion of the cities of El Segundo and Los Angeles.

Public hearing was held in Los Angeles April 14, 1941 before Examiner Howard at which time evidence was introduced and the matter submitted.

The evidence of record shows that applicants have been in the trucking business for nineteen years and for the past eleven years have performed pickup and delivery service under contract for Santa Fe within the city limits of Inglewood. O. L. Trulove, one of the applicants, testified that business had increased steadily since the inauguration of the National Defense Program. The majority of the traffic hauled by Trulove Transfer Company for Santa Fe originates at or is destined to airplane factories situated at or adjacent to Los Angeles Municipal Airport. The tonnage so handled each day varies from a minimum of one thousand pounds to a maximum of fifteen tons.

All of the traffic which applicants propose to haul if this certificate is granted will be moved also by Santa Fe either before or after applicants transport it. Shipments inbound to the airplane factories will be picked up at the Santa Fe depot in Inglewood and transported to destination. Outbound shipments will be picked up at the factories and transported to the Santa Fe depot.

The evidence shows that approximately two-thirds of the shipments constitute interstate commerce. Four trucks are used by applicants and if additional equipment is needed they will acquire it. Applicants presently operate under permits granted by the Commission. However, inasmuch as it will be necessary for them to go outside of the city limits in performing the contemplated transportation for the railroad, applicants now desire a certificate. Service will be limited to the delivery zone of Santa Fe and only traffic having a prior or subsequent rail haul will be transported.

The service of applicants is of a specialized character. No fixed schedule is followed except that applicants call each day at 8:00 A.M. at the Santa Fe depot in Inglewood and deliver the shipments destined to the airplane factories. When the airplane plants have traffic to be hauled to the rail depot they notify applicants. Such shipments often require immediate transportation. Applicants devote most of their time to giving this service and apparently it is essential that this be done if the service is to be adequate for the needs of the industry.

Southern California Freight Lines, Southern California Freight Forwarders and S. & M. Transfer Company entered appearances at the hearing as protestants. Southern California Freight Lines runs two schedules a day which could be used by Santa Fe but the type of scheduled operation performed by Southern California Freight Lines would not afford the service which the record shows is needed. S. & M. Transfer Company stated, through its attorney, that it believed it could render the service required and had sought the business from the railroad but without success. Santa Fe said that it believed the applicants' service was best suited to its needs and that its past dealings with them had been satisfactory. Santa Fe asks that the certificate be granted. The Commission is in receipt of a written statement from the Pacific Electric Railway Company advising that it is not opposed to the granting of the application.

It is apparent from the record that a service such as that proposed by applicants is needed. The evidence shows that applicants are able to perform such service adequately. It is doubtful whether protestants could give the necessary service. The traffic in question is not hauled by protestants at the present time. Applicants' proposed service will be restricted to the

handling of traffic having a prior or subsequent rail haul by Santa Fe. If the certificate is granted such action will not result in putting a new carrier in the field to compete for the traffic presently transported by protestants. Based upon the record and the findings of fact contained in the foregoing opinion, it is concluded that the application should be granted.

O R D E R

Public hearing having been held in the above-entitled proceeding, the Commission being fully advised in the premises and it being found as a fact that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity be and it is granted to Thomas E. Trulove and O. L. Trulove, doing business as Trulove Transfer Company, authorizing them to operate a highway common carrier service, as that term is defined in section 2-3/4 of the Public Utilities Act, for the transportation of property, having either a prior or a subsequent movement via the line of The Atchison, Topeka and Santa Fe Railway Company, between the Atchison, Topeka and Santa Fe Railway Company's depot in Inglewood and the portion of Los Angeles County situated within the following boundaries:

Beginning at the intersection of Arbor Vitae and Inglewood-Redondo Boulevard, south of Inglewood-Redondo Boulevard to Century Boulevard; thence west on Century Boulevard to Sepulveda Boulevard; thence south on Sepulveda Boulevard to Imperial Highway; thence easterly on Imperial Highway to Inglewood city limits; thence north and west along Inglewood city limits to starting point. Also, the following area located within the city limits of El Segundo, beginning at the intersection of Imperial Highway and Northrop Street; thence

south on Northrop Street to Douglas Street;
thence east on Douglas Street to Lapham Street,
thence north on Lapham Street to Imperial High-
way; thence west on Imperial Highway to starting
point.

IT IS FURTHER ORDERED that in the operation of said
highway common carrier service pursuant to the foregoing certif-
icate, Thomas E. and O. L. Trulove, doing business as Trulove
Transfer Company, shall comply with and observe the following
service regulations:

1. File a written acceptance of the certificate
herein granted within a period of not to ex-
ceed thirty (30) days from the date hereof.
2. Subject to the authority of this Commission to
change or modify such at any time by further
order, conduct said highway common carrier op-
eration over and along the following route:

Any appropriate streets or highways be-
tween the points authorized to be served.
3. Comply with the provisions of Part IV of General
Order No. 93-A within sixty (60) days from the
effective date of this order and upon not less
than five (5) days' notice to the Commission and
the public.

The effective date of this order shall be twenty (20)
days from the date hereof.

Dated at San Francisco, California, this 29th day
of April, 1941.

[Signature]
[Signature]

Francis C. Havener
COMMISSIONERS