

Decision No. 39135

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of C. J. LAMB, LORA LAMB and COLIN J. BOONE, co-partners, doing business under the firm name and style of LAMB TRANSPORTATION CO., for an order authorizing the abandonment of operations of automobile freight line between Long Beach, Los Angeles, Wilmington and San Pedro, California.

ORIGINAL  
Application No. 27588

O P I N I O N

C. J. Lamb, Lora Lamb and Colin J. Boone are copartners, doing business as Lamb Transportation Co.; and as such are engaged in the transportation of limited commodities between Los Angeles, Long Beach and Wilmington, as more particularly defined in Decision No. 17756, dated December 13, 1926, in Application No. 12254, which decision created the operative right involved.

As noted in the margin below, while ownership of the right rested in C. J. Lamb, the Commission authorized a suspension of the operative right, first to July 1, 1944, and then to July 1, 1946. The instant application seeks permanent abandonment of the operation, and the revocation of the certificate authorizing such operation.

(1) By Decision No. 36118, dated January 26, 1943, the Commission authorized C. J. Lamb to acquire sole ownership of the operative right referred to. On January 26, 1943 (Decision No. 36119) C. J. Lamb was authorized to suspend this operation until July 1, 1944, and a continuance of such suspension was authorized to July 1, 1946, by Decision No. 37168, dated July 5, 1944. By Decision No. 37987, dated June 19, 1945, C. J. Lamb was authorized to sell and transfer the highway common carrier operative right acquired by him to C. J. Lamb, Lora Lamb and Colin J. Boone.

The reasons for the proposed abandonment of the operative right are set forth in extenso in the application, and may be summarized as follows:

The movements of flour and bakery supplies from Long Beach and Wilmington to Los Angeles originate at points without the State of California and move to the ports of Los Angeles and Long Beach by water, thence by rail or motor truck, which latter movement is interstate in character; the movement of kerosene in cases has been from the refineries at Long Beach to the ports of Long Beach and Wilmington for export to foreign countries, and hence is likewise interstate in character.

At the time the certificate of applicants was granted there was no federal law regulating interstate transportation, such as here described, and the Railroad Commission assumed jurisdiction. Since then, however, the Congress has enacted legislation regulating said transportation.

Applicants now hold a certificate issued by the Interstate Commerce Commission authorizing the transportation of the commodities above mentioned between the points covered by the certificate herein sought to be abandoned, and under such certificate are amply able to transport said commodities.

Since the granting of the certificate by the Railroad Commission the manufacture of glassware and bottles at Long Beach has been abandoned. There has been no movement of these commodities in intrastate commerce over the routes of applicants and between the points involved for several years and the operative right was suspended by this Commission on March 1, 1943. Such transportation is rendered by the rail and motor truck lines now authorized to transport such intrastate movement which are more than ample and sufficient to fill the needs of the shipping public.

In view of the fact that there appears to be no need for the service which it is proposed to discontinue, we are of the opinion that the application should be granted, and it will be so ordered. A public hearing is not necessary.

**ORDER**

Good cause appearing,

IT IS ORDERED that the certificate of public convenience

and necessity granted by Decision No. 17756 is hereby revoked and annulled and all effective tariffs and time schedules on file with the Commission in the name of C. J. Lamb, Lora Lamb and Colin J. Boone are hereby cancelled.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 25<sup>th</sup> day of June, 1946.

Edward R. Anderson  
Justin F. Quince  
Bonnie Dean  
Irving K. ...  
Harold A. ...  
COMMISSIONERS