

FK

Decision No. 24742.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

---oOo---

In the Matter of the Application of VALLEY MOTOR LINES, INC., to consolidate its operative rights for the transportation of property between (1) San Francisco and East Bay Cities, on the one hand, and Fresno and intermediate points south of and including Manteca, on the other hand; (2) Stockton and Merced and intermediate points; (3) Fresno and Madera and intermediate points; (4) Fresno and Dinuba and intermediate points; and for authority to operate under said operative rights as a consolidated and unified system for the transportation of property, as a common carrier, for compensation.

ORIGINAL

Application No.
17977.

Sanborn and Roehl, by H. H. Sanborn and W. H. Kessler,
for Applicant.

H. W. Hobbs, for Southern Pacific Company, Protestant.

Edward Stern and H. W. Hobbs for Railway Express Agency,
Inc., Protestant.

Robert Brennan and Wm. F. Brooks for The Atchison,
Topeka and Santa Fe Railway Company, Protestant.

BY THE COMMISSION:

O P I N I O N

Valley Motor Lines, Inc., a corporation, has petitioned the Railroad Commission for an order consolidating all its presently owned operative rights and permitting it to operate same as a unified and consolidated system for the transportation of property, as a common carrier, for compensation.

A public hearing on this application was conducted by Examiner Handford at San Francisco, the matter was submitted on the filing of briefs by counsel and is now ready for decision.

Harold B. Frasher, secretary of applicant company, testified regarding the present necessity of duplication of truck operation

over the respective lines herein proposed to be unified and consolidated in the event of the granting of the present application. His evidence shows a reduction in the present operating expense if a unification is authorized.

It is apparent that the granting of this application would permit of a rearrangement of the method of operation which would result in a material saving in operating cost for the applicant company, but the unification and consolidation of operative rights would allow through service to be given to points which are now unauthorized, such as between San Francisco and Oakland on the one hand, and Manteca intermediate to and including Stockton on the other hand; from San Francisco and Oakland to points between Fresno and Dinuba, including Dinuba; from Stockton-Manteca to points between Fresno and Dinuba, including Dinuba. There is no evidence presented in this proceeding that the public convenience and necessity require the extension or establishment of service to or from the present unauthorized points and in the absence of an affirmative showing the instant application cannot be granted.

Although this application was protested by authorized rail and express carriers, no evidence was offered by such protestants and none by the applicant other than that hereinabove mentioned.

It is the conclusion of the Railroad Commission, after carefully considering the record herein, that applicant has failed to justify public convenience and necessity as requiring the unification and consolidation of the operative rights now held by applicant under the authority of decisions of this Commission, and that the application should be denied without prejudice.

ORDER

A public hearing having been held on the above entitled application, the matter having been duly submitted upon the filing of briefs by counsel, the Commission being now fully advised and

basing its order on the conclusion as set forth in the foregoing opinion,

IT IS HEREBY ORDERED that this application be and the same hereby is denied without prejudice.

The effective date of this order is hereby fixed as twenty (20) days from the date hereof.

Dated at San Francisco, California, this 2nd day of May, 1932.

OL Seaman

W. J. Lee

W. B. Lewis

Fred G. Cleveland
Commissioners.