

Decision No. 26445

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of Application of )  
 PACIFIC MOTOR TRANSPORT COMPANY, )  
 for certificate of public con- )  
 venience and necessity for the )  
 transportation by motor trucks )  
 of railroad traffic between cer- ) Application No. 18699  
 tain railroad stations in the )  
 San Joaquin Valley under contract )  
 with the railroad operating between )  
 such stations. )

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 In the Matter of the Application of )  
 PACIFIC MOTOR TRANSPORT COMPANY )  
 for a certificate of public con- )  
 venience and necessity for the trans- )  
 portation by motor trucks of railroad Application No. 18727  
 traffic between certain railroad )  
 stations in the San Joaquin Valley )  
 under contract with the railroad )  
 operating between such stations. )

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 In the Matter of Application of )  
 PACIFIC MOTOR TRUCKING COMPANY )  
 for certificate of public con- )  
 venience and necessity for the )  
 transportation of property by motor )  
 trucks under contract for certain Application No. 18861  
 common carriers between Brawley and )  
 Westmorland. )

BY THE COMMISSION:

ORDER DENYING REHEARING

Motor Freight Terminal Company, Valley Motor  
 Lines, Inc., and certain other protestants having filed petitions  
 for rehearing of Decision 26261 in Application 18699; El Dorado  
 Motor Transportation Co., Inc. and Folsom Auto Truck (F. W.  
 Walcz) having filed a petition for rehearing of Decision 26262 in

Application 18727; and Motor Freight Terminal Company having filed a petition for rehearing of Decision 26260 in Application 18861; and oral argument having been had on said petitions and the Commission being of the opinion that no good cause has been shown for the granting of rehearings,

IT IS HEREBY ORDERED that the above petitions and each of them are hereby denied.

Dated at San Francisco, California, this 17<sup>th</sup> day of October 1933.

*O. J. Harvey*

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*M. H. C. Cur*

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*W. H. S. H.*

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Commissioners

We dissent. The petitions for rehearing should be granted in part and denied in part. They should be granted for further considering the extent, if any, that public convenience and necessity requires the entry of another truck carrier between the distributing points and points radiating therefrom where no rail haul is involved but where the traffic moves entirely by truck. The petitions should be denied in all other respects.

The decisions of the Commission are sound in so far as they permit applicant to coordinate a truck service with a rail service. Progress in transportation has made imperative an improved rail service which can only be rendered economically in cases such as the ones before us, by a coordination of rail and truck, the truck supplementing the rail. But we are not convinced on this record that the Southern Pacific Company in conjunction with its subsidiaries should be allowed to perform a purely local all-truck service in direct competition with existing truck carriers without the Commission being surer than it can be on this record that the ability of the existing truck carriers to render an adequate service is not impaired.

Sound regulation will recognize the panorama of epochal and inevitable change that is on parade through the pages of transportation history. In the march of destiny the slumbering order of the past has yielded, and will ever continue to yield, to the fast flying transitions of the present. This is an age of dual operation of rail and truck. We appreciate the value of each service, and we are equally loath to predict the exact timetour manner of the passing of either. They both now deserve an existence and a perpetuity. One should not be needlessly sacrificed

for the advancement of the other. It may be that public interest demands what applicant is here seeking. But in justice to the existing truck lines, who are pioneers in their field of endeavor, we do not believe that the present record warrants the unqualified granting of the applications. The Commission should go into this question more thoroughly.

*Leon Whidell*  
*W. W. Moore*  
Commissioners.