

any two points in the local territory proposed to be served.

Applicant proposes to charge rates for the local freight service proposed in accordance with schedule attached to the amended application, and rates for property in the custody of express companies which are operating on its line as per contract, copies of which will be filed with this Commission.

Tri-weekly service is regularly proposed to be operated on Monday, Wednesday and Friday of each week and also on-call service is proposed for Tuesday, Thursday and Saturday of each week such on-call service to care for seasonal demand for transportation and to meet the public demands.

Applicant proposes to operate pneumatic tired trucks and/or trailers of a modern design and of a satisfactory capacity to care for all business which may be offered for transportation.

The highway route over which the applicant proposes to operate parallels the railroad line of the Southern Pacific Co., over which at present less than carload service is rendered three times per week. The Southern Pacific Company has made application to the Interstate Commerce Commission for the abandonment of its service over lines between Rumsey and Capay on the basis that the present rail traffic offering does not meet the expense of operation and with the abandonment of the rail service the communities will be deprived of any regular transportation service except that rendered by a local stage line which is restricted to the carriage of property not exceeding fifty (50) pounds to the individual package. Since the hearing on this matter the Commission is advised that the Finance Department of the Interstate Commerce Commission has granted the application of the Southern Pacific Company for abandonment of the rail line between Capay and Rumsey and that said abandonment will shortly be made.

L. B. Young, Vice President and General Manager of applicant

testified regarding the proposal of the applicant and estimated that the cost of the proposed service would be \$746.00 per annum. This witness also presented an exhibit showing the shippers and receivers of property and the volume of less-than-carload shipments of property during two recent and representative months.

Two witnesses, local shippers in the district, testified as to the need for applicant's service in the event of the abandonment of the rail service. These witnesses handle green fruit and almonds and require some form of public transportation to get their products out of the territory.

The granting of the application is protested by A. H. Weston of the Woodland Rumsey Auto Stage Line. This stage line has a limited property carrying right on the same route as is sought by applicant. There is no criticism as to the service heretofore rendered by the stage line but it is restricted to the carriage of parcels and merchandise not exceeding fifty pounds in weight and is not equipped nor authorized to carry property in the volume as here proposed by applicant. The amended application which eliminates the carriage of property weighing less than 50 pounds in the local territory should fully meet the protest of the existing stage line and such restriction will be placed in the grant herein.

A careful consideration of the record herein results in the conclusion that the service proposed is a matter of public convenience and necessity and that the application should be granted. The abandonment of the railroad line will leave this district without the facility of public transportation, and the applicant is financially able and willing to substitute the present rail transportation by the operation of motor trucks over the highway and without increasing rates or other burden on the shipping and receiving public.

The application should be granted.

ORDER

A public hearing having been held upon the above entitled application, the matter having been duly submitted and the Commission being now fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Pacific Motor Trucking Company of an automobile truck line over the public highway between Esparto and Rumsey and intermediate points, provided, however, that no local transportation of property weighing fifty pounds or less be given to or from any point between Esparto and Rumsey or any point intermediate to said terminals.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be and the same is hereby granted to Pacific Motor Trucking Company, a corporation, subject to the following conditions:

1. Applicant shall file its written acceptance herein within a period of not to exceed fifteen days from the date hereof.
2. Applicant shall file, in triplicate, and shall make effective within a period of not to exceed thirty (30) days from the date hereof, on not less than ten (10) days' notice to the Commission and the public, a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules as shown in the exhibit as attached to the amended application insofar as they conform to the certificate herein granted.
3. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than five (5) days' notice to the Commission and the public, time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.
4. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred or assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 5th day of March, 1934.

C. J. Scavery
Leon Whitell
M. A. Linn
M. B. Linn
M. B. Linn
Commissioners.