

Rumsey Branch. The instant application would abrogate this restriction.

In justification of the granting of the authority herein sought, applicant alleges as follows:

"At the present time Southern Pacific Company handles into Davis by train approximately 5,000 pounds of l. c. l. traffic per day. This requires the use of three box cars daily, one from San Francisco, one from Oakland and one from Sacramento. The San Francisco and Oakland cars are handled to Davis on a freight train serving points north of Davis and the spotting of the cars involves delay to that train. The car from Sacramento is handled on a westbound train which is required to stop and spot the Davis car, thereby delaying it. There is ample excess capacity in the cars leaving San Francisco and Oakland for Sacramento to accommodate the Davis l. c. l. shipments. If the requested authority is granted, Southern Pacific Company will be enabled to eliminate the use of all three box cars, one from San Francisco to Davis, one from Oakland to Davis and one from Sacramento to Davis. An economy in operating expenses due to the elimination of the three box cars will be effected. It will also enable Southern Pacific Company to expedite the two freight trains, thereby resulting in faster service to the public on shipments to other destinations handled by those freight trains."

W. L. Warner, operating under the name and style of Sacramento Auto Truck Co. protestant in original Application No. 20481 and at whose instance the restriction heretofore referred to was incorporated in the certificate now involved, has stated in writing to the Commission that he will waive objection to the granting of the authority herein sought. W. E. Hibbitt, operating as Sacramento Motor Transport also a protestant therein, has likewise waived protest to the granting of this application.

Under these circumstances a public hearing does not appear necessary and the application will be granted ex parte.

O R D E R

IT IS HEREBY ORDERED that the certificate of public convenience and necessity heretofore granted to Pacific Motor Trucking Company by Decision No. 29045, dated August 17, 1936, be and it is hereby amended to permit Pacific Motor Trucking Company to transport between Sacramento and Davis property consigned to it at either Sacramento or Davis by rail and express carriers.

In all other respects Decision No. 29045 shall remain unchanged and in full force and effect.

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

Dated at San Francisco, California, this 19th day of February, 1937.

Frank R. Kelly

Robert W. Kelly

Ray & Kelly
COMMISSIONERS