

Decision No. 29813

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC MOTOR TRUCKING COMPANY, a )  
corporation, for a certificate of )  
public convenience and necessity to )  
operate seasonal auto truck service )  
as a common carrier of fresh pears be- )  
tween packing houses in the vicinity )  
of Upper Lake and other Lake County )  
points on the one hand and Santa Rosa, )  
Sebastopol and Petaluma on the other. )

Application No. 21203

BY THE COMMISSION:

ORIGINAL

O P I N I O N

By this application and amendment thereto, Pacific Motor Trucking Company, a corporation, seeks a certificate of public convenience and necessity to operate a highway common carrier service, limited to the transportation of fresh pears, between packing houses or sheds on the one hand, located within one mile of the following described highways:

- A. extending from Upper Lake via Lakeport and Finley to Kelseyville,
- B. extending from Scotts Valley to the junction with the above mentioned highway,
- C. extending from a point near Nice to the junction with the first mentioned highway,

and precooling and/or cold storage plants located in the cities of Santa Rosa, Sebastopol and Petaluma on the other hand.

Applicant has the following statement to make in justification of the granting of the certificate herein sought:

"There is annually produced in Lake County, a large tonnage of fresh pears. Present day practice is to transport the fresh fruit to packing sheds where it is graded and packed for shipment. Before the pears are shipped they are moved to ice plants either for precooling or to be held in cold storage until placed into iced railroad cars for shipment to ultimate destination. Under this method fruit reaches destination in best possible condition and

brings good returns to shippers. To get the best results from ice house cooling it is necessary for the packed fruit to be placed under refrigeration quickly and with a minimum of handling. At Santa Rosa, Sebastopol and Petaluma there exist adequate ice house facilities and space for precooling and storage of all Lake County pears. As such ice houses are the nearest ones available to Lake County shippers and packers, the proposed common carrier service will permit of packed fruit being taken from the packing sheds as soon as packed and quickly placed in ice houses for cooling before loading in iced cars for shipment. Applicant has been requested to install the proposed service which will minimize handling by through carriage in same vehicle from packing shed to ice plant, such requests having been made by the following packers and shippers of pears:

"Scotts Valley Fruit Exchange, by G. A. Curtis, President;  
Lake County Fruit Exchange, Upper Lake and Finley, by S. J. Stokes;  
Lake Cove Fruit Growers, Finley, by L. J. Shuman;  
Kelseyville Packing Company, Kelseyville, by Wendell Henderson;  
American Fruit Growers, Scotts Valley, Finley and Kelseyville, by D. D. Little;  
Lloyd J. Hamilton, Finley, by L. J. Hamilton;  
E. P. Sailor, Upper Lake, by E. P. Sailor;  
Lambert Marketing Company, Scott Valley and Finley, by L. R. McKinnon;  
Glenn Keithly, Kelseyville, by Glenn Keithly."

The pear season lasts about forty days and varies according to weather conditions, beginning approximately July 1st and ending about October 15th and applicant proposes only seasonal service as volume of shipments demands and does not propose to handle any commodities other than fresh pears nor to handle them otherwise than from the packing house or packing sheds to the precooling and/or refrigerating plants.

J. A. Keithly and Clear Lake Motor Drayage Company, by Guido de Ghetaldi, highway common carriers in the territory, have in writing waived objection to the granting of this certificate. No further objections having been raised, a public hearing does not appear necessary; and, it further appearing that public convenience and necessity will be served by the establishment of this operation, the application will be granted ex parte.

O R D E R

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA  
HEREBY DECLARES that public convenience and necessity require  
the establishment and operation by Pacific Motor Trucking  
Company, a corporation, of a highway common carrier service,  
as such is defined in the Public Utilities Act, limited to the  
transportation of fresh pears only between packing houses and  
packing sheds located within one mile of the highways:

- A. extending from Upper Lake via Lakeport and  
Finley and Kelseyville,
- B. extending from Scotts Valley to the junction  
with the highway mentioned in "A",
- C. extending from a point near Nice to the  
junction with the highway mentioned in "A",

on the one hand, and precooling and/or cold storage plants  
located in the cities of Santa Rosa, Sebastopol and Petaluma  
on the other hand as a seasonal service, on demand, from  
approximately July 1st to October 15th of each year.

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

- 1. Applicant shall file a written acceptance of  
the certificate herein granted within a period of  
not to exceed fifteen (15) days from date hereof.
- 2. Applicant shall commence the service herein  
authorized within a period of not to exceed thirty  
(30) days from the effective date hereof, and shall  
file in triplicate and concurrently make effective on  
not less than ten days' notice to the Railroad Com-  
mission 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 shown in the exhibit attached to the appli-  
cation in so far as they conform to the certificate  
herein granted, or rates and rules satisfactory to the  
Railroad Commission.

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 days' notice to the Railroad 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 nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been obtained.

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

6. Applicant shall, prior to the commencement of service authorized herein and continuously thereafter, comply with all of the provisions of this Commission's General Order No. 91

The effective date of this order shall be the date hereof. Dated at San Francisco, California, this 1<sup>st</sup> day of June, 1937.

Leon Whitely  
Franklin  
Raymond  
Ray & Alley  
COMMISSIONERS