

Decision No. 30273

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
PACIFIC MOTOR TRANSPORT COMPANY for)
a certificate of public convenience) Application No. 18752
and necessity for an extension of)
its operating rights held under)
Decisions 22552, 25072 and 25370.)

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL
OPINION AND ORDER

By Application No. 21457, Pacific Motor Trucking Company requested an order of this Commission clarifying the operating right heretofore granted to its predecessor, Pacific Motor Transport Company, by Decision No. 25720, on Application No. 18752, so as to establish the right of Pacific Motor Trucking Company to operate as a highway common carrier between San Jose and Monta Vista via the Stevens Creek Road. A public hearing in Application No. 21457 was conducted by Commissioner Wakefield in San Francisco on October 20, 1937.

From the facts developed at that hearing it appears that there existed a discrepancy between the prayer of the then applicant, Pacific Motor Transport Company, in Application No. 18752, and the map marked Exhibit "B" attached thereto, whereby applicant failed to specifically request, in the body of said application, authority to operate between Monta Vista and San Jose while distinctly setting forth this service on the map indicating its intention to establish such service.

Subsequently, the Commission, while recognizing in its opinion preceeding the order contained in Decision No. 25720 that such authority has been sought, did not authorize such service in its order.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the second paragraph of the order in Decision No. 25720 is hereby amended to read as follows:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment of automotive service for the transportation only of shipments in transit via the Southern Pacific Company and Railway Express Agency, Inc., between Mayfield and Los Gatos and serving the intermediate points of Bulwer, Congress Junction, Saratoga, Cupertino, Monta Vista, Simla and Los Altos, and between Monta Vista and San Jose, provided, however, that applicant shall immediately file with this Commission its contracts with the Southern Pacific Company and Railway Express Agency, Inc., covering the service herein granted. The route to be followed is via the main highway serving termini and the intermediate points.

In all other respects Decision No. 25720 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 1st day of November, 1937.

Walter H. Brown
Leon A. Whiteley
Frank R. Brown
Robert H. Brown
Walter H. Brown
Walter H. Brown
COMMISSIONERS.