

Decision No. 21223

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WESTERN TRUCK LINES, LTD. for an amendment of that certain certificate of public convenience and necessity granted under Decision Nos. 8567 and 23482, being an extension of operating rights thereunder between Blythe and Midlands, California; and for an extension of operating rights thereunder within a radius of fifteen miles of Blythe, California; and for an amendment of said certificates granting and clarifying the operating rights from all points on U. S. Highways Nos. 66, 99, 60 and 70 between Los Angeles and Mecca, California destined to points East of Mecca on the present existing route and proposed extension thereof; and for an amendment to those certificates of public convenience and necessity granted under Decisions Nos. 21195, 12468 and 26995 for an extension of operating rights for the transportation of property (a) originating at all points between Los Angeles Harbor on the one hand and June Lake Junction and Silver Lake, California on the other hand, destined northbound to all points between June Lake Junction, Silver Lake and the California-Nevada State Line, (b) originating at all points between California-Nevada State Line on the one hand and Silver Lake and June Lake Junction on the other hand destined southbound to all points between Silver Lake and June Lake Junction and Los Angeles Harbor; and for a clarification of said certificates of operating rights for freight originating at all points between Los Angeles Harbor and Mojave, California destined to points between Mojave on the one hand and June Lake Junction and Silver Lake on the other hand, and freight originating at all points between June Lake Junction and Silver Lake on the one hand and Mojave, California on the other hand destined to all points between Mojave, and Los Angeles Harbor, eliminating local service between Los Angeles Harbor and Mojave except Glendale; and for a clarification and amendment of all the above mentioned certificates and under Decision No. 7212 for pick-up and delivery service in territory surrounding Los Angeles as hereinunder defined; and for an amendment to that certain certificate of public convenience and necessity granted under Decision No. 7212 granting an extension of operating rights

ORIGINAL

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between Glendale and San Pedro and Los Angeles and }
Long Beach Harbors; and for an extension of all of }
the above mentioned certificates from Los Angeles to }
Vernon, California.

APPEARANCES

OWEN C. EMERY and PHIL JACOBSEN for applicant.

GEORGE A. MONTROSE and A. S. WILLIAMS for Mono Basin Transport Inc, protestant.

A. S. WILLIAMS for Southern Pacific Company, Pacific Motor Trucking Company, Pacific Motor Transport Company and Alexander and Larsen, doing business as High Sierra Transport Company, protestants.

E. T. LUCEY for The Atchison, Topeka and Santa Fe Railway Company, protestant.

ED STERN for Railway Express Agency Incorporated, protestant.

H. J. BISCHOFF for Southern California Freight Lines and Southern California Freight Forwarders, protestant.

C. G. ANTHONY for Keystone Express System, interested party.

BY THE COMMISSION:

INTERIM OPINION

By this application, as amended, Western Truck Lines, Ltd., a corporation, requests a certificate of public convenience and necessity authorizing the extension of its highway common carrier services (a) between Blythe and Midland (b) between June Lake Junction, Silver Lake and California-Nevada state line where such line is intersected by United States Highway No. 395 north of Coleville, California, (c) between Los Angeles and Los Angeles harbor and other intermediate points including Vernon, Southgate, Huntington Park, Bell and Maywood (d) for the elimination of certain restrictions in

its present operative rights and a clarification thereof.

A public hearing was had at Bishop on May 24, 1938, at Los Angeles May 25, June 24 and August 19, 1938 and at Blythe on May 27, 1938 before Examiner Paul. The matter was submitted on August 19 at which time all protest was withdrawn to the granting of authority to the applicant to extend its service to include Vernon, Southgate, Huntington Park, Bell and Maywood.

Applicant requested the Commission to issue its interim order authorizing it to extend its service as to Vernon, Southgate, Huntington Park, Bell, Maywood and intermediate points, pending final determination upon the record as a whole. The request for the interim order is based in part upon the withdrawal of all protest to authorizing the extension of service to said points, but chiefly upon applicant's desire to avail itself of a new terminal located at Vernon. It appears from the record that tentative negotiations have been pending for some time to abandon use of applicant's present automotive truck terminal facilities at Los Angeles and avail itself of new quarters to be erected to its specifications at Vernon. The record also shows that there is a public need for the extension of applicant's service to the above named points.

It does not appear necessary at this time to enter into a discussion of the record as a whole. It further appears to be in the public interest to issue an interim order at this time as requested.

INTERIM ORDER

A public hearing having been held in the above entitled proceeding and good cause appearing,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY
DECLARES that public convenience and necessity require the establishment

and operation by Western Truck Lines, Ltd., as a highway common carrier, as defined in Section 2 3/4 of the Public Utilities Act, of an automotive service for the transportation of property for compensation between Los Angeles, Vernon, Maywood, Bell, Huntington Park, Southgate and intermediate points, not as a separate operative right but as an extension and enlargement of each of the operative rights heretofore granted by Decision No. 7212, dated March 5, 1920, on Application 5409, Decision No. 21195, dated June 10, 1929 on Application No. 14544, and Decision No. 23482 dated March 9, 1931, on Application No. 17233 over and along the routes to be defined hereafter in this proceeding.

IT IS ORDERED that a certificate of public convenience and necessity therefor is hereby granted to Western Truck Lines, Ltd., a corporation, subject to the following conditions:

1. The authority hereby granted may not be construed as consolidating any of applicant's operative rights heretofore acquired.
2. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
3. 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 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 shown in the exhibit attached to the application in so far as they conform to the certificate herein granted, or rates and rules satisfactory to the Railroad Commission.
4. 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, a time schedule or time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.

5. 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.

6. 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.

7. 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.

8. The authority herein granted shall lapse and be void if applicant shall not have complied with all of the conditions within the periods of time fixed herein unless, for good cause shown, the time shall be extended by further order of the 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 27th day of August, 1938.

Robert H. Quinn
Leon A. Quinn
Frank R. Quinn
Ray H. Quinn

COMMISSIONERS