

Decision No. 32846

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC MOTOR TRUCKING COMPANY for)
certificate of public convenience)
and necessity for the transportation)
of property by motor trucks under)
contract for certain common carriers)
between Metz and San Luis Obispo and)
stations intermediate thereto.)

ORIGINAL

Application No. 18881

BY THE COMMISSION:

O P I N I O N

Pacific Motor Trucking Company by application filed in the above-entitled proceeding January 7, 1941, requests a supplemental order authorizing it to perform a store-door pickup and delivery service for Southern Pacific Company and Railway Express Agency, Inc., at McKay and Nacimiento with its line haul vehicles. McKay and Nacimiento are located on the main line of Southern Pacific Company between Bradley and San Miguel.

It is alleged in the application that the Federal Government has commenced the construction of warehouses and other buildings at McKay and Nacimiento for new troop training facilities to be established adjacent thereto in connection with the National Defense Program.

Applicant now renders a highway common carrier service between San Luis Obispo and Metz and intermediate points situated on the Southern Pacific rail line. Pacific Motor Trucking Company is authorized also to perform pickup and delivery service at Santa Margarita, Atascadero, Templeton, Paso Robles, San Miguel, Bradley,

San Ardo, San Lucas, and King City.

It is stated by applicant that there is no community at either McKay or Nacimiento, at the present time, and no contract drayman available at either of said rail stations to perform pickup and delivery service. Hence, applicant desires to perform such pickup and delivery service at said points with its present line haul equipment now operating over the route between San Luis Obispo and Metz.

Full consideration has been given to this application. The Commission is of the opinion that a public hearing is unnecessary in this matter and that said application should be granted.

O R D E R

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA having fully considered the above application and the evidence pertaining thereto hereby finds and declares that public convenience and necessity require the performance by Pacific Motor Trucking Company of a store-door pickup and delivery service at McKay and Nacimiento.

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Pacific Motor Trucking Company authorizing it to perform a highway common carrier store-door pickup and delivery service at McKay and Nacimiento with its line haul equipment as a part of and in connection with the service it is presently authorized to operate between San Luis

Obispo, Metz and intermediate points by virtue of Decision No. 26939, as variously amended, in Application No. 18881, subject to the following conditions:

1. 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.
2. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective 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 (10) 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 shown in the tariff or tariffs of the Southern Pacific Company currently on file with this Commission and in effect, 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 triplicate, 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 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.

Dated at San Francisco, California, this 27th day
of January, 1941.

[Signature]
[Signature]
[Signature]
Justus J. Coenen
Francis R. Havenner
COMMISSIONERS