

ORIGINAL

Decision No. 35006

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 for	)	Application No. 24725
the transportation of express, mail	)	
and baggage by motor truck between	)	
Los Angeles and Colton, California,	)	
and intermediate points.	)	

BY THE COMMISSION:

O P I N I O N

Pacific Motor Trucking Company by the above-entitled application seeks a highway common carrier certificate authorizing it to transport mail, express and baggage between Los Angeles and Colton, serving all intermediate rail points both on-route and off-route.

Applicant does not intend to file any rates in its own name for the contemplated service. Presently existing rates will continue to be applied. Express traffic will move at rates published by Railway Express Agency, Inc.. Baggage will be transported pursuant to checks provided passengers traveling on Southern Pacific Company trains. Mail will be handled in accordance with a contract between Railway Mail Service and Southern Pacific Company. Southern Pacific Company will compensate Pacific Motor Trucking Company on the basis prescribed in a contract entered into November 10, 1939 between Southern Pacific Company, Northwestern Pacific Railroad Company, Petaluma and Santa Rosa Railroad Company, Pacific Electric Railway Company and Pacific Motor Trucking Company.

It is alleged in the application that the national emergency resulting from the war has taxed rail facilities to the utmost. Particularly on the West Coast Southern Pacific Company is extremely short of motive power due to the necessity of serving numerous Army encampments, Naval bases and embarkation points. Southern Pacific Company has borrowed from other railroads as many locomotives as possible. Southern Pacific Company has cancelled some local schedules and may have to discontinue others in order to divert equipment to more vital needs. Local passengers will be handled on other through schedules. All such trains carry mail, express and baggage. While the entraining and detraining of passengers can be accomplished in a short time, the handling of mail, express and baggage causes considerable delay.

Southern Pacific Company has requested Pacific Motor Trucking Company to take over the headend work from trains Nos. 367 and 368 which now operate between Los Angeles and Niland. Applicant is asked to handle only mail and express moving on billing of Railway Express Agency and checked baggage of passengers so that transcontinental schedules will not be disrupted.

It is asserted in the application that there is immediate need for the proposed service to relieve congestion on Southern Pacific Company's single track line between Los Angeles and Niland, to release motive power for use in more important train service, to relieve three train crews to be used in work of greater importance, and to release for other service several mail, baggage, express and passenger cars.

Pacific Freight Lines, Southern California Freight Lines and Santa Fe Transportation Company have notified the Commission

in writing that they have no objection to this application being granted ex parte provided Pacific Motor Trucking Company does not use the authority obtained as a ground for seeking an unlimited highway common carrier certificate. It is evident from the application that Pacific Motor Trucking Company has agreed not to use any authority granted in this proceeding as a basis for securing unlimited highway common carrier rights between Los Angeles and Colton.

Applicant has authority to operate between Niland and Colton at the present time. Hence, the only authority needed to effect the proposed service is between Los Angeles and Colton.

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

#### O R D E R

IT IS ORDERED that a certificate of public convenience and necessity is granted to Pacific Motor Trucking Company authorizing it to operate as a highway common carrier, as that term is defined in Section 2-3/4 of the Public Utilities Act, between Los Angeles and Colton and all intermediate rail points both on-route and off-route, to transport mail and express moving on billing of Railway Express Agency, Inc. and checked baggage of passengers of Southern Pacific Company.

Pacific Motor Trucking Company, its successors or assigns, may never claim before this Commission, or any court or other public body, a value for the authority hereby granted in excess of the actual cost thereof.

IT IS FURTHER ORDERED that, in the operation of said highway common carrier service, Pacific Motor Trucking Company shall comply with and observe the following service regulations:

1. File a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.
2. Subject to the authority of this Commission to change or modify them by further order, conduct said highway common carrier operations over the following route or routes:

Via U. S. Highway No. 99 and unnumbered county highways, connecting U. S. Highway No. 99 with the rail stations of Southern Pacific Company, intermediate to Los Angeles and Colton.

3. Comply with the rules of the Commission's General Order No. 80 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public.

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

Dated at San Francisco, California, this 5th day of February, 1942.

Justus F. Gammee  
Ray H. Cires  
J. H. Baker  
Arthur H. Kachse  
COMMISSIONERS