

ORIGINAL

Decision No. 35149

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of VALLEY MOTOR LINES, INC., a)	
corporation, for a certificate)	
of public convenience and neces-)	
sity for the transportation of)	
property as a highway common)	Application No. 24578
carrier between Sacramento, on)	
the one hand, and the Marysville)	
Army Cantonment and the U. S.)	
Chico Airport, on the other hand.)	

WILLARD S. JOHNSON, for Valley Motor Lines, applicant, and for Valley Express Co., Intervenor on behalf of applicant.

L. N. BRADSHAW, for Western Pacific Railroad Company and Sacramento Northern Railway, interested parties.

W. G. STONE, for Sacramento Chamber of Commerce, interested party.

BY THE COMMISSION:

O P I N I O N

By its application in this proceeding Valley Motor Lines, Inc., a corporation, seeks a certificate of public convenience and necessity under Section 50-3/4, Public Utilities Act, authorizing operation as a highway common carrier as defined by Section 2-3/4, Public Utilities Act, between Sacramento and (a) the Marysville Army Cantonment, and (b) the Chico Basic Flying School, respectively. No one protested the granting of the application; however, Sacramento Northern Railway and Sacramento Chamber of Commerce appeared as interested parties.

A public hearing was had before Examiner Austin at Marysville on March 3, 1942, when evidence was received and the matter submitted.

Under authority conferred by this Commission, applicant serves an extensive territory as a highway common carrier. The certificate sought would permit an extension of the service currently conducted pursuant to Decision No. 34125, rendered April 29, 1941, in Application No. 24060. ⁽¹⁾ In the performance of that service, applicant traverses U. S. Highway No. 40 from Sacramento to Roseville, U. S. Highway No. 99-E via Wheatland, Marysville, Yuba City and Chico to Red Bluff Junction, and State Highway No. 37 to Westwood and Susanville.

The Marysville Army Cantonment, situated approximately ten miles east of Marysville, is reached by highways diverging from U. S. Highway No. 99-E at Wheatland and Ostrom. The Chico Basic Flying School, located some six miles north of Chico, is reached by the Chico-Richardson Springs Road, which joins U. S. Highway No. 99-E near Chico. Both of these bases promote essential military requirements.

From the record it appears that during the construction of these installations there will be a substantial movement of building materials, and that subsequently there will be a constant flow of supplies. This traffic will move from the railheads, from other communities now served by applicant, and from other military bases. Applicant contemplates the establishment of a

(1) Pursuant to this decision, Valley Motor Lines, Inc. acquired from United Motor Transport Lines, Inc. operative rights between Sacramento and Auburn and intermediate points; between Sacramento and Wheatland and certain intermediate points; and between Sacramento and Chico, on the one hand, and Susanville and intermediate points north of Chico, including Westwood, on the other hand.

daily service and, in addition, an on-call service, if necessary, using such equipment as may be required. At present the Marysville Army Cantonment is served by a railroad spur and by the facilities of Pacific Motor Trucking Company. From Chico, Sacramento Northern Railway is now extending its tracks to the base but no certificated trucking service exists. An operating official called by Western Pacific Railroad Company and Sacramento Northern Railway testified that, upon completion of the spur, overnight service from Sacramento and other central California points would be available daily except Saturdays.

The record justifies the establishment of this service, and accordingly, the application will be granted. To permit a more flexible service, applicant will be authorized to operate alternatively over all available routes between the railheads and the bases.

ORDER

Application having been made as above-entitled, a public hearing having been had, evidence having been received, the matter having been duly submitted, and the Commission now finding that public convenience and necessity so require:

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Valley Motor Lines, Inc., a corporation, authorizing the establishment and operation of a service as a highway common carrier, as defined by Section 2-3/4,

Public Utilities Act, between Sacramento, on the one hand, and (a) the Marysville Army Cantonment, situated approximately ten miles east of Marysville, and (b) the Chico Basic Flying School, situated approximately six miles north of Chico, respectively, as an extension and enlargement of the operative rights now held by applicant pursuant to Decision No. 34125, on Application No. 24060. Said certificate is granted subject to the following condition:

Valley Motor Lines, Inc. its successors and assigns, shall 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.

(2) That in the operation of said highway common carrier service pursuant to the foregoing certificate, the following service regulations shall be observed:

1. 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.
2. Applicant shall comply with the provisions of 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 one (1) day's notice to the Commission and the public.
3. Applicant shall conduct said highway common carrier operations over and along the following routes, subject to the authority of the Commission to change or modify them at any time by further order:

To the Marysville Army Cantonment:

- (a) From Sacramento via U. S. Highway 40 to Roseville, thence via U.S. Highway 99-E to Wheatland or Ostrom, thence from either of said points over unnumbered county highways to the Marysville Army Cantonment.

- (b) Alternatively, over any and all public highways, open to and available for truck operation, between Wheatland and Ostrom, respectively, and the Marysville Army Cantonment.

To the Chico Basic Flying School:

- (c) From Chico, via U. S. Highway 99-E to the junction with the county road known as Richardson Springs Road; thence via Richardson Springs Road to the Chico Basic Flying School.
- (d) Alternatively, over any and all public highways, open and available for truck operation, between Chico and the Chico Basic Flying School.
- (e) Returning via the same routes.

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

Dated at San Francisco, California, this 24th day of March, 1942.

Justus J. Casner
Ray W. Ripley
H. H. [unclear]
Francis D. Havenner
Richard [unclear]
 COMMISSIONERS