

ORIGINAL

Decision No. 35161

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 HIGHWAY TRANSPORT, INC., for a)
 certificate of public convenience)
 and necessity to operate as a)
 common carrier of commodities generally) Application No. 24830
 between all points on its lines on the)
 one hand and Natividad, California, on)
 the other.)

BY THE COMMISSION:

O P I N I O N

Highway Transport, Inc. requests a certificate of public convenience and necessity to extend its service as a highway common carrier of commodities generally, between all points on its lines, on the one hand, and Natividad, California, on the other hand.

Natividad is approximately seven miles northeast of Salinas, the point to which it is proposed to extend the service. It is alleged in the application that the Permanente Metals Corporation is presently constructing, at Natividad, a plant for the recovery of metals vitally needed for work in the National Defense, and that there is under construction, or about to be constructed, at this point a National Defense Plant. It is further alleged that applicant has been importuned by representatives of the Permanente Metals Corporation to file this application. Our records show that there is no other common carrier serving this point.

The service proposed herein appears to be a necessary one and we are of the opinion that a public hearing is not required. The application will be granted.

O R D E R

Application having been filed in the above-entitled matter, the Commission being duly advised, and finding that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity be and it hereby is granted to Highway Transport, Inc. authorizing the operation of a highway common carrier service, as defined in Section 2-3/4 of the Public Utilities Act, between Salinas and Natividad as an extension and enlargement of the operative rights acquired under the authority of the Commission's Decision No. 28316, dated November 4, 1935, subject to the following condition:

Highway Transport, Inc. 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, Highway Transport, Inc. shall comply with and observe the following service regulations:

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 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.
3. Applicant shall conduct said highway common carrier service over and along the most appropriate route or routes subject to the authority of the Commission to change or modify them at any time by further order.

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

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

Justus J. Gammien
Ray of Riley
W. H. Baker
Francis C. Hovey
Richard H. Hovey
COMMISSIONERS