

Decision No. 35243**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of OREGON-NEVADA-CALIFORNIA FAST FREIGHT, INC., a corporation, for a certificate of public convenience and necessity for the establishment and operation of a highway common carrier service between (a) Sacramento and Redding, California, and intermediate points, via U. S. 99E and U. S. 99; (b) between Sacramento on the one hand, and points between Yolo and Redding, California, inclusive, on the other, via U. S. 99W and U. S. 99; (c) between San Francisco Bay area, on the one hand, and points between Woodland and Red Bluff, inclusive, on the other hand, via U. S. 40, 99W; and (d) between Sacramento and McClellan Field, California; all as extensions of existing service.

Application
No. 24702

BY THE COMMISSION:

INTERIM OPINION

By its application in this matter applicant, Oregon-Nevada-California Fast Freight, Inc., a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, seeks a certificate of public convenience and necessity under Section 50-3/4 of that Act, authorizing comprehensive extensions of its present operations, including a service between Sacramento and McClellan Field. Subject to certain exceptions and limitations respecting the intermediate points that may be served, and in some instances the commodities to be handled, applicant now operates as a highway common carrier, generally:

- (a) Between San Francisco and East Bay points, on the one hand, and, on the other hand, between Red Bluff and the California-Oregon State Line, over three separate routes, viz., (1) over U.S. Highway No. 99E, via Dunsmuir, Weed, Yreka and Hilts; (2) over U. S. Highways Nos. 99 and 97,

via Dunsmuir, Weed, Bray and Dorris; (3) over U. S. Highways Nos. 299 and 395, via Bella Vista, Montgomery Creek and Alturas; also over two branch lines as follows: (4) between Redding and Kennett and Shasta Dam, diverging from U. S. Highway No. 99; and (5) between Hillcrest and Big Bend, diverging from U. S. Highway No. 299; and

- (b) Between Sacramento and Redding, on the one hand, and, on the other hand, between Redding and the California-Oregon State Line, over three separate routes, via U. S. Highway No. 99, via U. S. Highways Nos. 99 and 97, and via U. S. Highways Nos. 299 and 395, as described in the preceding paragraph; and also over a branch line extending between Hillcrest and Big Bend, diverging from U. S. Highway No. 299.

Pursuant to applicant's request, this matter has not been set for hearing. However, in order to facilitate the movement of military supplies and materiel, applicant now seeks an interim certificate authorizing operation between the points it now serves, on the one hand, and McClellan Field, a United States military establishment, on the other, subject to the limitation that no service will be performed between McClellan Field and Sacramento, and San Francisco Bay points, respectively.

The common carriers most vitally affected by such an operation do not object to this proposal. They comprise Southern Pacific Company, Pacific Motor Trucking Company, Valley Motor Lines, Inc., Valley Express Co., Western Pacific Railroad Company, Sacramento Northern Railway, and Sacramento Corning Freight Lines, Ltd. Since there appears to be a public need for this service, the interim certificate sought will be granted, but without prejudice to any action ultimately taken in the final disposition of this matter.

INTERIM ORDER

Application having been made as above entitled; and the Commission being of the opinion, and now finding, that public convenience and necessity so require,

IT IS ORDERED:

(1) That, pending the final determination of the above-entitled proceeding, a certificate of public convenience and necessity be and it hereby is granted to Oregon-Nevada-California Fast Freight, Inc., a corporation, authorizing operation as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, between McClellan Field, on the one hand, and, on the other hand, any and all points which Oregon-Nevada-California Fast Freight, Inc. may now serve as a highway common carrier under the operative rights it may now possess.

Said certificate is granted subject to the following conditions:

- (a) By any order subsequently rendered in this proceeding, the Commission may revoke or modify said certificate.
- (b) No service may be rendered between McClellan Field and Sacramento locally; nor between McClellan Field and San Francisco and East Bay points, respectively.
- (c) Oregon-Nevada-California Fast Freight, 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.

(2) That, in the operation of a 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) Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said highway common carrier operations over and along the following routes:
 - (a) Between McClellan Field and Sacramento, over any and all public highways available for truck operation;
 - (b) Between Sacramento and any and all points which applicant may now serve under its existing operative rights, over any and all public highways now used by applicant in performing said service.

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

Dated at Los Angeles, California, this 14th day of April, 1942.

Justin J. Casper
Ray K. Rice
H. Baker
Francis D. Havenner
Edward R. ...
 COMMISSIONERS