

Decision No. 35250

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
PACIFIC MOTOR TRUCKING COMPANY for )	
extension of its operating rights )	First Supplemental
between Martell and Stockton to )	Application No. 20817
Tracy. )	

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

Pacific Motor Trucking Company, by the above-entitled application, requests modification of Decision No. 29216 by eliminating therefrom the restriction prohibiting transportation of shipments between points intermediate to Stockton and Tracy and authorizing service between Tracy, Stockton and all intermediate rail points.

It is alleged in the application that there is to be established at French Camp, which is a rail point intermediate between Tracy and Stockton, a National Defense Project to be used as a "Holding and Reconsignment Point Depot." Applicant says this project will involve the expenditure of \$12,000,000. It is stated that, in addition to the movement of materials during the construction period, there will be a steady movement of supplies after the depot is completed.

The application alleges that the handling of traffic to and from Stockton by truck rather than by rail will result in economies to Southern Pacific Company which will more than offset any increased truck costs which may be incurred. It is

averred that the handling of traffic by truck will result in a saving of 2,002 box car days a year.

The Commission has been advised that Valley Motor Lines, Inc. and Valley Express Co., the only common carriers operating in the territory involved, are not opposed to this application being granted.

After full consideration of the application and the evidence pertaining thereto the Commission is of the opinion and finds a public hearing is unnecessary and that public convenience and necessity require that this application be granted.

O R D E R

IT IS ORDERED that Decision No. 29216, in Application No. 20817, is amended by the elimination from the first ordering paragraph of said decision of the following language:

"The transportation of property to be limited to such property as may have been delivered to applicant by Southern Pacific Company or Pacific Motor Transport Company or Railway Express Agency, Inc. at Tracy and subject to the following restrictions.

1. No through or local shipments may be transferred to any point intermediate between Tracy and Stockton or to Stockton.
2. Applicant will operate at the option of or on call for the rail and express companies above mentioned."

IT IS FURTHER 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 Stockton, Tracy and all rail points intermediate thereto.

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 at any time by further order, conduct said highway common carrier operations over and along the most appropriate route or routes between the points herein authorized to be served.
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 Los Angeles, California, this 14<sup>th</sup> day of April, 1942.

Justus P. Casmen  
Ray J. Rieley  
H. H. Baker  
Francis R. Haven  
Richard A. ...  
COMMISSIONERS