

The Marysville Army Cantonment is an important and essential military establishment situated approximately ten miles east of Marysville. To reach the cantonment, applicant proposes to traverse three routes designated as the Mills Jewett Road, the Spenceville Road and the Access Road, respectively, which diverge from U. S. Highway No. 99-E. Other routes over which applicant does not propose to operate are also available, including those connecting with U. S. Highway No. 99-E at Ostrom and at Wheatland.

Applicant, it appears, has equipment sufficient to provide an adequate service. He proposes to publish rates conforming to those established by the Commission in Decision No. 31606, as modified, and to establish joint rates with Western Pacific Railroad Company, Sacramento Northern Railway, and connecting carriers.

Applicant asserts that a substantial volume of traffic, destined to the cantonment, would move over the rails of Western Pacific Railroad Company and Sacramento Northern Railway. During the period of construction this would consist largely of building materials, and subsequently it would comprise materiel and subsistence supplies. Although other carriers in the territory now serve the cantonment, (2) it appears essential, in the public interest and in the furtherance of the war program, that applicant also be

(2) Southern Pacific Company is constructing a spur track extending from Ostrom to the cantonment. Recently, certificates have been granted to Valley Motor Lines, Inc. (Decision No. 35149, rendered March 24, 1942, in Application No. 24578) and to Pacific Motor Trucking Company (Decision No. 34805, rendered December 2, 1941, as modified by Decision No. 35148, rendered March 24, 1942, in Application No. 24548) authorizing the operation by these carriers of a highway common carrier service to and from the Marysville Army Cantonment.

permitted to conduct a similar operation. Accordingly, the application will be granted.

In this matter no public hearing appears to be necessary. To permit a more flexible service, applicant will be authorized to operate alternatively over all available routes between Marysville and the cantonment.

O R D E R

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 a certificate of public convenience and necessity be and it hereby is granted to T. F. Burns, an individual, authorizing the establishment and operation of a service as a highway common carrier as defined by section 2-3/4, Public Utilities Act, between Marysville and the Marysville Army Cantonment, situated approximately ten miles east of Marysville.

Said certificate is granted subject to the following condition:

That T. F. Burns, his successors or 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 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. 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:
 - a. From Marysville via U. S. Highway No. 99-E to the junction of said highway with Mills Jewett Road; thence via said Mills Jewett Road to the Marysville Army Cantonment;
 - b. From Marysville via U. S. Highway No. 99-E to the junction of said highway with Spenceville Road; thence via said Spenceville Road to the Marysville Army Cantonment;
 - c. From Marysville via U. S. Highway No. 99-E to the junction of said highway (at Morrison's Crossing) with Access Road; thence via said Access Road to the Marysville Army Cantonment;
 - d. Alternatively, over any and all public highways open to and available for truck operation between Marysville and the Marysville Army Cantonment;
 - e. Returning via the same routes.

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

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

Justus F. Coe

Ray H. Riley

M. B. Baker

Francis D. Havenner

Richard H. ...

 COMMISSIONERS