

Decision No. 35344

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 BUTLER FREIGHT SERVICE, George S. Butler, )  
 Owner, and EUREKA-GARBERVILLE TRUCK LINE. )  
 George S. Butler, Cutler S. McLenegan and )  
 Harold M. Hays, a partnership, to inter- )  
 change equipment at Eureka, California, )  
 in connection with the transportation of )  
 property of Intercity Transport Lines, )  
 an express corporation, moving over the )  
 lines of applicants, as underlying carriers, )  
 without transferring the loadings from the )  
 equipment of one applicant company to the )  
 equipment of the other applicant company. )

Application  
No. 24794

BY THE COMMISSION:

O P I N I O N

George S. Butler, doing business as Butler Freight Service, and George S. Butler, C. S. McLenegan and Harold M. Hays, a partnership doing business as Eureka-Garberville Truck Line, by the above-entitled joint application, as amended, seek authority to interchange automotive equipment at Eureka when such equipment contains the loadings of Intercity Transport Lines, an express corporation.

Both applicants are highway common carriers. Applicant Butler operates between Eureka and Crescent City and intermediate points. Applicants Butler, McLenegan and Hays operate between Eureka and Garberville and intermediate points.

It is alleged that the purpose of the application is to eliminate the necessity for the physical interchange of loadings at Eureka, thereby eliminating needless delays, damage to traffic, additional handling and a reduction in expense. Applicants assert

that there is now under construction, near Clam Beach in California on U. S. Highway No. 101, a United States Army air field that requires, and will require, transportation of large shipments moving from and to the San Francisco Bay District. The present traffic handled by these applicants moving to Eureka is now more than 250,000 pounds a month and the establishment of a through service to handle express loadings of Intercity Transport Lines will make for more expeditious movement between the points on the lines of one carrier and points on the line of the other carrier. It is pointed out that the Commission, by its Decision No. 27545, as amended by Decision No. 32565, on Application No. 19666, has heretofore authorized an interchange of equipment between Butler, McLenegan and Hays and Redwood Motor Freight Line at Garberville when such equipment contains the loadings of Intercity Transport Lines. Redwood Motor Freight operates between San Francisco and Garberville. Under the instant proposal equipment containing the loadings of the express corporation could move between San Francisco and points on the line of Butler beyond Eureka to and including Crescent City without the necessity of transfer of shipments at the connecting points of the various highway common carriers.

This does not appear to be a matter in which a public hearing is necessary and the Commission after due consideration finds that public convenience and necessity require that the application be granted. The order will so provide.

#### O R D E R

IT IS ORDERED that George S. Butler, doing business as Butler Freight Service, and George S. Butler, C. S. McLenegan and Harold M. Hays, partners doing business as Eureka-Garberville

Truck Line, are hereby authorized to interchange automotive equipment at Eureka when such equipment contains the loadings of Intercity Transport Lines, an express corporation.

IT IS FURTHER ORDERED that pursuant to the foregoing authority, applicants shall observe the following service regulations:

1. Applicants shall file a written acceptance of the authority herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicants shall comply with the provision of the Commission's General Orders Nos. 80 and 93-A within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public in a manner satisfactory to the Commission.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of May, 1942.

Ray L. Rice  
M. J. P. M.  
Francis X. Havens  
Richard L. L. L.  
COMMISSIONERS