

ORIGINAL

Decision No. 35346

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
PACIFIC MOTOR TRUCKING COMPANY for a)	
certificate of public convenience and)	
necessity to operate motor vehicles)	
over the public highways between the)	Application No. 19598
stations of Tracy and Merced, Tracy)	
and Los Banos, and between Fresno)	
and Dos Palos, on the line of the)	
Southern Pacific Company.)	

BY THE COMMISSION:

FOURTH SUPPLEMENTAL OPINION AND ORDER

Pacific Motor Trucking Company, a corporation, applicant in the above-entitled Fourth Supplemental Application, is now providing a highway common carrier service between Tracy, Los Banos, Dos Palos and Firebaugh and intermediate points as authorized by the Commission's Decision No. 27744, as amended. One of the points served under that operative right is South Dos Palos. This applicant now requests that the above described operative right be extended to authorize highway common carrier operations between South Dos Palos and Eagle Field which is located near Oro Loma, including authority to perform store-door pickup and delivery service at all points within the boundaries of Eagle Field.

Applicant proposes to file tariffs in its own name covering the service between South Dos Palos and Eagle Field which tariffs will set forth the minimum rates prescribed by the Commission's Decision No. 31606, as amended. It also proposes to perform service in connection with the rail service of Southern Pacific Company under joint rate arrangements.

As justification for the authority sought, applicant alleges substantially as follows:

There is presently being constructed a United States Army Basic Training Airport at or near Oro Loma, California, which will be known as Eagle Field. This Field will be located about five miles south of South Dos Palos, which point is now receiving service with applicant's line-haul equipment on its route between Los Banos and Mendota, California. Construction of the new Field will involve a large expenditure for the construction of hangars, barracks, machine shops, runways, etc. Bids for this construction have been let and construction will begin immediately.

In addition to the movement of materials and supplies during the construction period, there will be a steady movement of merchandise traffic, airplane parts, and subsistence supplies after the Field is completed.

No other common carrier now serves between South Dos Palos and Eagle Field. No public hearing appears to be necessary. In our judgment the application should be granted. Such will be the order.

O R D E R

An application having been made and the Commission being of the opinion and hereby finding that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to Pacific Motor Trucking Company, a corporation, authorizing operation as a highway common carrier, as defined by section 2-3/4, Public Utilities Act, between South Dos Palos and Eagle Field as an extension and enlargement of the operative right heretofore created by Decision No. 27744, subject to the following condition:

Pacific Motor Trucking Company, its 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.

IT IS FURTHER ORDERED that in the operation of the highway common carrier service pursuant to the foregoing certificate, Pacific Motor Trucking Company 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 one (1) day's notice to the Commission and the public.
3. Applicant shall conduct said highway common carrier service 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) Between South Dos Palos and Eagle Field over an unnumbered county road known as Russell Avenue.
 - (b) Between the junction of the California State Highway No. 152 and the county road known as Sunset Short Road, west of Los Banos, and Eagle Field, over Sunset Short Road and Oro Loma Avenue and connecting county roads.
 - (c) Between the junction of California State Highway No. 33 and an unnumbered county road east of Los Banos and South Dos Palos over said unnumbered county road.
 - (d) Between the junction of California State Highway No. 33 and an unnumbered county road known as Bullard Avenue, south of Firebaugh and Eagle Field, over Bullard Avenue, Shaw Avenue and Russell Avenue.

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

Dated at San Francisco, California, this 12th day of

May, 1942.

Ray L. Allen

J. H. Baker

Francis D. Havens

Richard L. Cook

COMMISSIONERS