

render store-door pickup and delivery service within the incorporated limits of each of said cities. All of the points proposed to be served are stations on the lines of the Southern Pacific Company or Pacific Electric Railway Company. (1)

The foregoing application was heard at Los Angeles before Examiner Broz at which time the Pacific Freight Lines, Southern California Freight Lines and Crown City & Los Angeles Express Company entered appearances as protestants. They subsequently stipulated, however, that if the Commission in disposing of this application, adopts the same service restrictions as those imposed by Decision Nos. 34274 and 34657, respectively, in Application No. 21083 (which granted applicant authority to operate as a highway common carrier between Los Angeles, Glendale, Burbank and Alhambra) protestants would withdraw their objection to the granting of the instant application. (2) The stipulation was accepted by applicant's counsel, whereupon these protestants withdrew from the hearing. Counsel for Pacific Van & Storage Association and Bekins Van and Storage Company also withdrew the objections of those parties upon assurance of applicant's counsel

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- (1) A similar application No. MC 78786 (Sub. No. 67) involving the transportation of interstate shipments by truck between the same points was filed with the Interstate Commerce Commission on August 11, 1941. A proposed report recently issued by that Commission recommends the interstate application be granted.
- (2) The restriction referred to provides that the service between Los Angeles, on the one hand, and Glendale, Burbank and Alhambra, on the other hand, shall be limited to the transportation of shipments originating at or destined to points beyond the designated points, which applicant receives from or delivers to the Southern Pacific Company and Pacific Electric Railway Company, or either of them and moving under joint rates; and to shipments which it transports for express corporations.

that the proposed service will not provide for hauling uncrated household goods from residence to residence nor between terminal points.

Applicant's operating witness testified that two reasons prompted the filing of the instant application, first, to effect economies in operating expenses now incurred by the Southern Pacific Company and Pacific Electric Railway Company in handling less-carload merchandise traffic by box car rail service between the points involved, and second, to improve store-door pickup and delivery service on inbound and outbound shipments. Evidence was offered to show that less-than-carload shipments originating at Los Angeles are now transported by rail to Pasadena, whence they are delivered by truck to South Pasadena and San Marino. Store-door delivery at destination is performed by applicant's truck or contract drayman.

Applicant proposes to operate two $1\frac{1}{2}$ ton trucks in line-haul service between Los Angeles and Pasadena, which would be in addition to two trucks now stationed at Pasadena. The substitution of truck service would eliminate a boxcar rail service of Southern Pacific Company which a witness asserted now costs that carrier \$206.00 per annum, as well as a platform handling expense at Pasadena of \$1717.00 per annum. The Pacific Electric Railway Company which operates an electric "box-motor" car from Los Angeles to Pasadena estimates it would save \$3272.00 per annum by adopting the new truck service and eliminating the box-motor car. An additional expense of \$1674.00 per year is now incurred by Pacific Electric Railway Company in transferring shipments from the Pacific Electric station to the Southern Pacific station at Pasadena. The total estimated saving in direct operating

expenses to both carriers would, therefore, be approximately \$6869.00 per annum.

The estimated cost per year of performing truck service between Los Angeles and Pasadena, South Pasadena and San Marino, daily, except Sundays and holidays is \$8228.00. While the net additional cost of the new service will amount to about \$1359.00 per year, the substitution of motor trucks will release a valuable box-motor car of the Pacific Electric Railway Company for more urgent use at other points on its system, as well as box-car equipment of the Southern Pacific Company.

A witness testified that applicant's store-door delivery service at each of the three named destinations would be materially improved if the new truck service is authorized. At the present time shipments from Los Angeles are being delivered in Pasadena between 9:00 A.M. and 1:00 P.M. Under the new service they would be delivered between 7:30 and 11:00 A.M. South Pasadena merchants who now receive their shipments about 2:15 P.M. from Los Angeles would receive them about 10:30 A.M. and San Marino merchants would have store-door delivery at 11:40 A.M. instead of 1:30 P.M. Outbound shipments at the present time must now be delivered to the carrier ready for movement from Pasadena at 4:15 daily. The new truck service would permit shipments to be picked up as late as 5:00 P.M. and could be brought to the Southern Pacific depot by the shipper as late as 5:15 P.M.

The rates proposed to be charged by applicant are the less-than-carload merchants rate for store-door pickup and delivery service currently published and maintained in the tariffs of Southern Pacific Company and Pacific Electric Railway Company.

Applicant offered to concur in the tariffs of these lines on a joint basis.

At the conclusion of applicant's operating testimony, eleven public witnesses representing shippers and receivers of property at Pasadena, South Pasadena and San Marino were called by applicant and offered testimony in support of the proposed service generally stating that they need improved store-door and delivery service; that they are now using the service of Southern Pacific Company and Pacific Electric Railway Company and that any improvement in their present service would be a convenience to them.

No evidence or testimony was offered on behalf of other parties and the matter was submitted on the record. From a review of the evidence, we are of the opinion and find that the proposal here involved will improve store-door transportation service between Los Angeles, Pasadena, South Pasadena and San Marino, and that if the contemplated service is established the substitution of motor trucks will release railroad equipment, now being operated between the points involved, for more urgent use at other points on the Pacific Electric and Southern Pacific Companies' systems.

Adopting the stipulation entered into voluntarily by applicant and certain protestants, we are of the opinion and find that any authority herein granted should be made subject to the restrictions heretofore imposed by us in the certificate of public convenience and necessity granted to applicant in Application No. 21083.

The Commission is of the opinion and finds that public convenience and necessity justify and require the establishment

of highway common carrier service for the transportation of property between Los Angeles, on the one hand, and Pasadena, South Pasadena and San Marino, on the other hand, limited to traffic originating at or destined to points beyond the named points herein, received from or delivered to the Southern Pacific Company or Pacific Electric Railway Company or either of them, and moving under joint rates.

The authority herein granted will also permit applicant to transport shipments for express corporations between points named. To the foregoing extent, the application will be granted and the following order will so provide.

O R D E R

A public hearing having been held in the above entitled application, evidence and testimony having been offered and the matter submitted upon the record therein, and based upon the Commission's finding in the foregoing opinion that public convenience and necessity so require;

IT IS ORDERED that a certificate be and it is hereby granted to Pacific Motor Trucking Company for the establishment and operation of an automotive service as a highway common carrier, as that term is defined in Section 2-3/4 of the Public Utilities Act, between Los Angeles, on the one hand, and Pasadena, South Pasadena and San Marino, on the other hand, subject to the following restrictions:

- a. The service to be provided by applicant shall be limited to that which is auxiliary to, or supplemental of the rail service of the Southern Pacific Company and Pacific Electric Railway Company, or either of them.

- b. Applicant shall not render truck service to or from, nor interchange traffic at any point not a station of the rail lines of the Southern Pacific Company or Pacific Electric Railway Company.
- c. Applicant shall be limited to the transportation of shipments originating at, or destined to points beyond Los Angeles, Pasadena, South Pasadena or San Marino, received from or delivered to the Southern Pacific Company or Pacific Electric Railway Company, or either of them, and moving under joint rates, and to shipments transported for express corporations. All of said shipments shall receive, in addition to the movement by applicant, a prior or a subsequent movement by rail.
- d. Applicant may perform store-door pickup and delivery service at the points herein above named only within the pickup and delivery zones for each respective point as described and published in the tariff or tariffs of the Southern Pacific Company and Pacific Electric Railway Company, respectively, currently on file with this Commission and in effect.
- e. Applicant may not transport uncrated household goods from residence to residence nor between the terminal points named, nor may applicant transport household goods unless the shipments are packed to conform to packing specifications of the current Western Classification.

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 the highway common carrier service, pursuant to the foregoing certificate, Pacific Motor Trucking Company shall conform 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 five (5) days' notice to the Commission and the public.
3. Subject to the authority of this Commission to change or modify such at any time by further order, Pacific Motor Trucking Company shall conduct said highway common carrier operations over and along existing highway routes between said termini, excluding, however, any operation over the Arroyo Seco Boulevard.

IT IS FURTHER ORDERED that in all other respects, application No. 24315 be and the same is hereby denied.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 2nd day of

June, 1942.

Justice J. Calver
Ray L. Rice

Richard Kachra
COMMISSIONERS