

ORIGINAL

Decision No. 35612

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 PACIFIC FREIGHT LINES EXPRESS, a )  
 California corporation, for a certi- )  
 ficate of public convenience and )  
 necessity to extend its service to )  
 include "CAMP DUNLAP," a United ) Application No. 25013  
 States military camp now being )  
 constructed approximately 5 miles )  
 north and east of Niland, California. )

BY THE COMMISSION:

O P I N I O N

In this application Pacific Freight Lines Express, a corporation, is seeking authority to extend its service to include Camp Dunlap, a United States military camp now being constructed approximately 5 miles north and east of Niland, California.

Applicant is an express corporation, as defined by section 2(k) of the Public Utilities Act, and as such is authorized to engage in the business of transporting freight on the line of any highway common carrier within the State.

Pacific Freight Lines, under common ownership and management with applicant, is a highway common carrier, and in Decision No. 35443, dated June 2, 1942, was duly authorized by the Commission to extend its service so as to include the transportation of property by motor truck to and from Camp Dunlap. More specifically, the service authorized was "between Coachella and Camp Dunlap, via Niland, and between Brawley and Camp Dunlap, via Calipatria and Niland."

The present applicant proposes to use the service of

Pacific Freight Lines as an underlying carrier for the service it offers to the public, and relies upon the following circumstances as justification for the establishment of such service:

- (a) That the camp under construction is a major military establishment in connection with the war program;
- (b) That applicant has received numerous requests from the public for the service proposed;
- (c) That there is no similar service offered by a common carrier direct to the camp site, the closest point being located on the Southern Pacific Railroad at Niland;
- (d) That applicant utilizes the service of Pacific Freight Lines as an underlying carrier between all points served by Pacific Freight Lines.

Full consideration of the matter convinces us that the service proposed is in the public interest. Other carriers of property owning operative rights and serving the territory adjacent to the camp are on record as not desiring to oppose the granting of a certificate to applicant as prayed for.

There appears no necessity for a public hearing and the application will be granted.

#### O R D E R

Application having been made in the above entitled matter, and the Commission having found that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to Pacific Freight Lines Express, a corporation, authorizing the establishment and operation of a service as an express corporation, as defined in section 2(k) of

the Public Utilities Act, between Coachella and Camp Dunlap, via Niland, and between Brawley and Camp Dunlap via Calipatria and Niland, as an extension and enlargement of its present operating rights, subject to the following condition:

Pacific Freight Lines Express, 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 express corporation service, Pacific Freight Lines Express 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 effective date hereof.
2. Comply with the rules of the Commission's Tariff Circular No. 2 by filing, in duplicate, tariffs 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 28th day of July, 1942.

Justus J. Calver  
J. R. L. Riley

Francis P. Havener  
Arthur L. Lachere  
COMMISSIONERS