

ORIGINAL

Decision No. 35802

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC MOTOR TRUCKING COMPANY, a)
 corporation, for a certificate of)
 public convenience and necessity for)
 the transportation of property by)
 motor trucks, between Paso Robles) Application No. 25248
 and Estrella Airport, California,)
 and for consolidation with present)
 operative rights between Metz and)
 San Luis Obispo, California.)

BY THE COMMISSION:

O P I N I O N

Pacific Motor Trucking Company, a corporation, is now providing a highway common carrier service between San Luis Obispo and Metz and certain intermediate points, one of which is Paso Robles. It also has an operative right between Paso Robles and Paso Robles Airport, situated about 2.3 miles southeast of Paso Robles.

In the above-entitled application Pacific Motor Trucking Company requests a certificate authorizing the establishment and operation of a highway common carrier service between Paso Robles and Estrella Airport. This airport is situated approximately 4 miles northeasterly from Paso Robles.

Applicant proposes to file tariffs which will set forth the minimum rates prescribed by the Commission in its Decision No. 31606, as amended. It also proposes to perform service in connection with rail service of Southern Pacific Company under through joint rate arrangements. The service would be on call to meet traffic requirements.

In support of its proposal, applicant represents that

the Federal Government is now engaged in the construction of a United States Army Base with housing facilities and other permanent improvements at Estrella Airport. In connection with that program bids for construction work for hangars, runways, warehouses, mess halls, administration buildings, storage facilities and servicing roads have been let. During the period of construction there will be a considerable movement of materials and supplies. In addition, a substantial tonnage of subsistence supplies and food will move regularly to the airport after it is established.

There is on record a letter from the Army District Regional Engineer urging favorable consideration of the application. There is no common carrier presently serving Estrella Airport. Upon full consideration of applicant's proposal the Commission is of the opinion that there is a public need for the establishment of the proposed service. This is not a matter in which a public hearing is necessary. The application will be granted.

O R D E R

It being hereby found 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 the establishment and operation of service as a highway common carrier, as defined in section 2-3/4 of the Public Utilities Act, between Paso Robles and Estrella Airport, subject to the following condition:

Pacific Motor Trucking Company, its successors or assigns, may never claim before this Commission or any court or other public body, a value, for any purpose, for the authority herein granted in excess of the actual cost thereof incurred by it.

IT IS FURTHER ORDERED that in the operation of said 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. Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said highway common carrier operations over and along State Route No. 41 and Estrella Road between the points herein authorized to be served.

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

Dated at San Francisco, California, this 29th day of September, 1942.

Justus J. Coenen

[Signature]

Francis R. Havener

[Signature]

COMMISSIONERS