

Decision No. 35949

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 to)
extend service to Bishop Airport,)
California, and for consolidation)
with the present operative rights)
of Pacific Motor Trucking Company.)

Application No. 25308.

ORIGINAL

BY THE COMMISSION:

O P I N I O N

By its application in this matter Pacific Motor Trucking Company, a corporation, seeks a certificate of public convenience and necessity, under Section 50-3/4, Public Utilities Act, authorizing operation as a highway common carrier, as defined by Section 2-3/4 of that Act, to and from Bishop Airport, situated approximately two miles northeast of Bishop, as an extension of its existing operative rights.

Under certificates previously granted by this Commission applicant, a subsidiary of Southern Pacific Company, conducts between points in the Owens Valley a service as a highway common carrier which is auxiliary to and supplemental of the rail operations provided by Southern Pacific Company. (1)

(1) Applicant's operative rights in the Owens Valley rest upon Decision No. 33759, rendered December 21, 1940, in Application No. 23203. Here applicant was authorized to operate between Lone Pine and Mojave and certain intermediate points; with this were consolidated operative rights granted by earlier decisions between Lone Pine and Benton via Independence, Bishop and Laws.

At Bishop Airport, which is reached by a county road converging with U. S. Highway No. 395 at a point one-half mile north of Bishop, a United States Army Air Corps Training Base has been established and is now in course of installation. A public transportation service, it is alleged, is essential to permit the movement of building materials during the period of construction, and subsequently there will be a continuous movement of repair parts and subsistence supplies.

To provide the service applicant will use equipment now available, which will be suitable for the purpose. Rates will be published on a basis no lower than those established as minimum by Decision No. 31606, in Case No. 4246, as amended; in addition, applicant will establish joint through rates with Southern Pacific Company.

In our judgment the operative right sought is justified by public convenience and necessity and, accordingly, the application will be granted. No public hearing appears to be necessary.

O R D E R

Application having been filed as above entitled; and the Commission now finding that public convenience and necessity so require:

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it hereby is 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 Bishop and Bishop Airport.

Said certificate is granted subject to the following conditions:

- (a) The service performed hereunder by Pacific Motor Trucking Company shall be limited to that which may be auxiliary to or supplemental of, and it shall be coordinated and integrated with, the rail service of Southern Pacific Company.
- (b) 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 certificate herein granted in excess of the actual cost incurred by it in securing said operative authority.

(2) That in the operation of said highway common carrier service, applicant shall comply with and observe the following service regulations:

1. Applicant shall file a written acceptance of the certificate her-in granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicant shall comply with the provisions of 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 it at any time by further order applicant shall conduct said highway common carrier operations over and along the following route:

From Bishop northerly along U. S. Highway No. 395 for a distance of approximately $\frac{1}{2}$ mile to its intersection with an unnamed county road; thence easterly along said county road a distance of approximately $1\frac{1}{2}$ miles to Bishop Airport. Returning via the same route.

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

Dated at San Francisco, California, this 10th day of November, 1942.

W. J. Baker
Francis D. Havenue
Richard Kachner
COMMISSIONERS