

ORIGINAL

Decision No. 36314

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC MOTOR TRUCKING COMPANY for )  
certificate of public convenience and )  
necessity for the transportation by )  
motor truck of freight and express )  
between railroad stations of Southern )  
Pacific Company and/or Visalia Elec- )  
tric Railroad Company and/or Sunset )  
Railway Company southeast of Fresno, )  
and in the vicinity of Tulare and of )  
Bakersfield. )

Eighth Supplemental  
Application No. 19062

BY THE COMMISSION:

EIGHTH SUPPLEMENTAL OPINION

By its eighth supplemental application filed in this proceeding, Pacific Motor Trucking Company seeks a certificate of public convenience and necessity authorizing the extension of its service, as a highway common carrier, to Locans and Wineland, Fresno County, Stout, Tulare County, and Vinland, Kern County. These points, situated on the rail lines of Southern Pacific Company, are along the routes over which applicant was authorized to operate by Decision No. 27235, as amended, previously rendered in this proceeding. However, they are not among the points which applicant was expressly authorized to serve by that decision. (1)

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(1) By Decision No. 27235, rendered in this proceeding July , 1934, Pacific Motor Trucking Company was authorized to operate as a highway common carrier, serving certain points on the rail lines of Southern Pacific Company, Visalia Electric Railroad Company and Sunset Railway Company, over five separate routes therein described, and also designated in revised Exhibit "B," a map which was referred to in the order. Locans is situated on Route No. 3, east of Sanger; Stout is situated on Route No. 4, between Lindsay and Strathmore; Wineland is situated on Route No. 4, between Selma and Kingsburg; and Vinland is situated on Route No. 2, between Delano and McFarland.

At present Southern Pacific Company offers a less-than-carload rail service at these points. It is proposed to substitute for the present rail service, a truck service to be provided through the facilities now employed by applicant in conducting its operations within this territory.

In connection with the less-than-carload service, Southern Pacific Company proposes to offer at each of these points a store-door pickup and delivery service. Since no local drayman is available at any of the points, applicant itself would perform this service. Though these points are named as stations in the tariffs of Southern Pacific Company, no station house facilities exist at any of them. However, at each point there are industries which have requested that a store-door pickup and delivery service be made available for handling their less-than-carload shipments. Since applicant now operates its trucks through these points it is able to provide a pickup and delivery service without incurring any substantial additional operating cost.

Under the circumstances there appears to be a public need for the service sought. Valley Express Co. and Valley Motor Lines, Inc., which now operate within this general territory, have advised the Commission that they have no objection to applicant's proposal. Accordingly, the application will be granted. This is not a matter in which a public hearing is necessary.

O R D E R

Application having been made 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,

(a) authorizing the establishment and operation of service as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, to and from the points of Locans and Wineland, in Fresno County, Stout, in Tulare County, and Vinland, in Kern County, in addition to the points which applicant is authorized to serve pursuant to Decision No. 27235, rendered July 30, 1934, in the above-entitled proceeding, as amended; and

(b) authorizing the establishment and operation of a pickup and delivery service at Locans, Wineland, Stout and Vinland, and at each of said points, within an area encompassed within a radius of one mile from the railroad station of Southern Pacific Company at each of said points, which may be provided by applicant's line-haul trucks.

Said certificate is granted subject to the following restrictions:

- (A) The service performed hereunder by applicant shall be limited to that which may be auxiliary to or supplemental of the rail service of Southern Pacific Company, and to service rendered as an underlying carrier for any express corporation authorized to operate between the points which applicant is herein authorized to serve.
- (B) Applicant's service shall be limited to the transportation of shipments which it may receive from or deliver to Southern Pacific Company, and to shipments which it may receive for any express corporation, as described in paragraph (A) hereof. All of said shipments shall receive, in addition to the movement by applicant, a prior or a subsequent movement by rail.

Said certificate is granted 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 certificate herein granted in excess of the actual cost incurred by it in securing said operative authority.

(2) That in the operation of a 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 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 them at any time by further order, applicant shall conduct said highway common carrier operations over and along any and all routes upon which applicant may now operate pursuant to Decision No. 27235, as amended.

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

Dated at San Francisco California, April 27, 1943.

Francis A. Havenue  
Arthur S. MacArthur  
Richard Jackson  
W. M. Clark  
COMMISSIONERS