

Decision No. 36326

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 WALTER J. and ROSE A. JOHNSON, d.b.a. )  
 JOHNSON TRUCK LINES, for a certificate )  
 of public convenience and necessity )  
 for the transportation of property by ) Application No. 25566  
 motor vehicle between Chico and Chico )  
 Basic Flying School as an extension )  
 and enlargement of applicants' exist- )  
 ing rights. )

**ORIGINAL**

BY THE COMMISSION:

O P I N I O N

Applicants Walter J. and Rose A. Johnson, doing  
 business as copartners under the trade name of Johnson Truck  
 Lines, conduct an authorized operation for the transportation  
 of property between San Francisco-Richmond, on the one hand,  
 and Live Oak-Oroville-Chico, on the other hand.<sup>(1)</sup>

By this application they are requesting a certificate  
 of public convenience and necessity authorizing the extension  
 of this service from Chico to the Chico Basic Flying School as  
 an enlargement and extension of the rights granted to them in  
 Decision No. 27380.

The Chico Basic Flying School is located approximately  
 five miles north of the city of Chico. The proposed service is  
 to be "on call" daily except Sundays and holidays. Rates to be  
 established will be applicable between San Francisco and

---

(1) Decision No. 27380, dated September 17, 1934.

Richmond, on the one hand, and the Chico Basic Flying School, on the other hand.

There is no highway common carrier presently supplying a through truck service between the bay area and Chico Basic Flying School. Sacramento Northern Railway renders an all-rail service and Southern Pacific Company and Pacific Motor Trucking Company render a joint rail-truck service. These three carriers have informed the Commission that they do not oppose the granting of the present application.

The Commission has heretofore granted to J. Ballew a certificate authorizing operation as a highway common carrier between Chico and Chico Basic Flying Field. <sup>(2)</sup> Subsequently the order in this decision was modified to prohibit local service by this carrier between Chico and the Chico Basic Flying School and limiting his service to traffic having either a prior or a subsequent movement by rail.

The application recites that there is an urgent need for the proposed service and that numerous shippers have requested applicant to provide such service, particularly for the transportation of commodities of a perishable nature.

It appears to us that there is a demand for the service here proposed and the application will therefore be granted. There is no need for a public hearing.

---

(2) Decision No. 35163, dated March 24, 1942

O R D E R

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

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to Walter J. and Rose A. Johnson, doing business as Johnson Truck Lines, authorizing the establishment and operation of a service as a highway common carrier, as defined by section 2-3/4 of the Public Utilities Act, between Chico and Chico Basic Flying School, as an extension and enlargement of, and consolidation with, the operative right granted in Decision No. 27380, subject to the following conditions:

- (1) Applicants shall render no local service between Chico and Chico Basic Flying School.
- (2) Walter J. and Rose A. Johnson, doing business as Johnson Truck Lines, their 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 them in securing said operative authority.

IT IS FURTHER ORDERED that in the operation of said highway common carrier service, pursuant to the foregoing certificate, Walter J. and Rose A. Johnson 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 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 five (5) days' notice to the Commission and the public.
- (3) Conduct said highway common carrier service over and along the following routes subject to the authority of the Railroad Commission to change or modify them at any time by further order:

U.S. Highway No. 99, from Chico, to the intersection of the unnumbered county road known as the Richardson Springs Road, thence over and along said Richardson Springs Road to the Chico Basic Flying School, returning via the same route.

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

Dated at San Francisco, California, this 4<sup>th</sup> day of May, 1943.

Francis D. Haven  
J. B. M.  
Justus F. Casper  
Richard S. Cook  
Francis D. Haven  
COMMISSIONERS