

Decision No. 37622

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC MOTOR TRUCKING COMPANY for)
a certificate of public convenience)
and necessity to operate motor)
vehicles over the public highway)
between the stations of Tulare,)
California, and Octol Field,)
California.)

Application No. 26057
First Supplemental

BY THE COMMISSION:

ORIGINAL

FIRST SUPPLEMENTAL OPINION

By Decision No. 37296, rendered August 29, 1944, in this proceeding, a certificate of public convenience and necessity was granted to Pacific Motor Trucking Company authorizing the establishment of a highway common carrier service between Tulare and Octol Field. A limitation, however, was imposed restricting the service to the transportation of shipments receiving an immediately prior or subsequent rail movement, via Southern Pacific Company, in addition to the truck movement provided by applicant. By its petition for reconsideration and modification, filed herein, applicant now seeks the elimination of this restriction. At present, it is alleged, applicant performs a substituted service for the transportation of less-carload shipments for Southern Pacific Company between Fresno and rail points in the San Joaquin Valley extending as far south as Famosa. The truck equipment used to provide the service at Octol Field now operates between Fresno and Tulare and points south, handling less-carload shipments moving under Southern Pacific billing. Assertedly, the restriction imposed would necessitate the operation of less-carload rail freight service to and from Tulare to accommodate shipments destined to

or originating at Octol Field.

Since shipments moving to and from Octol Field are essentially of a military character, no restriction should be imposed by the operative right which would impede or interfere with the free flow of this traffic. Moreover, the Commission has reserved the right to modify or revoke the certificate upon the termination of the war. Under the circumstances, therefore, it appears reasonable that the certificate should be modified in accordance with applicant's request. However, the service authorized will be limited to that which may be auxiliary to or supplemental of the rail service provided by Southern Pacific Company

This is not a matter requiring a public hearing.

FIRST SUPPLEMENTAL ORDER

Application having been made therefor; and good cause appearing,

IT IS ORDERED as follows:

(1) That the following be and it hereby is substituted, in lieu of the first ordering paragraph of the order contained in said Decision No. 37296, viz.:

"(1) That a certificate of public convenience and necessity be and it hereby is granted to Pacific Motor Trucking Company, a corporation, authorizing the establishment and operation of a service as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, between Tulare and Octol Field, situated approximately eight miles southeasterly of Tulare. The Commission

reserves the right, at any time following the termination of the present war emergency, to determine the need for the continuance of said service. Said certificate is granted subject to the following limitation:

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."

(2) That in all other respects said Decision No. 37296 shall remain in full force and effect.

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

Dated at San Francisco, California, this 16th day of January, 1945.

Richard Lachse
Justice F. Cremer
Frank W. C. W.
James H. Russell
Harold Anderson
COMMISSIONERS