

Decision No. 29505

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Establishment of)
 maximum or minimum, or maximum and)
 minimum rates, rules and regulations)
 of all common carriers as defined in)
 the Public Utilities Act of the State)
 of California, as amended, and all)
 highway carriers as defined in Chapter)
 223, Statutes of 1935, as amended, for)
 the transportation for compensation or)
 hire, of any and all commodities.)

Case No. 4246

ORIGINAL

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

Modesto and Empire Traction Company, Pacific Motor Trucking Company, Southern Pacific Company and Tidewater Southern Railway Company are common carriers serving Modesto. Pacific Motor Trucking and Southern Pacific also serve Newark. By petition, these carriers seek authority to enlarge their pickup and delivery zones at these points and to extend their present rates to the additional territories.

In the verified petitions it is alleged that the proposed extensions have been requested by industries located in the areas involved; that these areas in each case are contiguous to, and integral parts of, the community; and that petitioners desire to provide the same service and to charge the same rates as those now available within the existing zones. The additional territory at Modesto is within three miles of the corporate limits of that city and at Newark, an unincorporated community, it is within three miles of the post office. Competing carriers have been notified of the filing of these petitions and have offered no objections to their being granted.

It appears that these are matters in which a public hearing is not necessary and that the petitions should be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the petitions of Modesto and Empire Traction Company, Pacific Motor Trucking Company, Southern Pacific Company, and Tidewater Southern Railway Company, seeking authority to enlarge their pickup and delivery zones at Modesto and Newark be and they are hereby granted; that the aforesaid carriers be and they are hereby authorized to establish, for the transportation involved, rates less than the minimum rates prescribed by Decision No. 31606, as amended, in this proceeding, but not less than those prescribed for like transportation from and to Modesto and Newark; and, that tariffs filed pursuant to this order may be made effective on not less than five (5) days' notice to the Commission and to the public.

The authority herein granted shall be void unless exercised within ninety (90) days of the effective date hereof.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 14th day of December, 1945.

Howard C. Quinn

Frank W. Brown

Harold P. Hill

 Commissioners