

Decision No. 38760

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)  
 VALLEY MOTOR LINES, INC., to remove)  
 restrictions on the alternate route)  
 between San Francisco Bay Cities on)  
 the one hand, and Sacramento on the)  
 other hand: )

Application No. 27032

**ORIGINAL**O P I N I O N

Valley Motor Lines, a corporation, seeks a certificate of public convenience and necessity under Section 50-3/4, Public Utilities Act, authorizing the operation of a highway common carrier service between San Francisco, Oakland, Alameda, Berkeley, Emeryville and San Leandro (collectively referred to as San Francisco Bay Cities), on the one hand, and Sacramento, on the other, via U. S. Highway No. 40. This would be used as an additional route between the points mentioned.

Under certificates previously issued, applicant may engage in the transportation of freight moving between San Francisco and Sacramento, via Manteca, Stockton, Lodi and Walnut Grove. The distance, by this circuitous route, between the terminals mentioned, is some thirty-seven miles longer than that via U. S. Highway No. 40. By Decision No. 35972, rendered November 23, 1942, in Application No. 25282, applicant was authorized to operate via U. S. Highway No. 40 as an alternate route between the San Francisco Bay Cities mentioned and Sacramento. However, certain restrictions were imposed, which limited the use of this alternate route to the transportation of traffic moving:

- "(1) Between points which applicant is now authorized to serve, north, east or west.

of Sacramento, on the one hand, and San Francisco Bay points or points beyond San Francisco Bay Cities, on the other hand.

(ii) Between Sacramento, on the one hand, and points south of San Francisco and San Leandro, or north of San Francisco on U. S. Highway No. 101, on the other hand."

And the order further provided:

"(b) That no service may be performed from or to any point intermediate between Berkeley and Sacramento nor between such intermediate points themselves.

(c) That no traffic may be transported over said alternate route moving between San Francisco Bay Cities, on the one hand, and the city of Sacramento, on the other hand."

Thus, no traffic may be carried over U. S. Highway No. 40 between San Francisco Bay Cities and Sacramento, themselves, nor may intermediate points be served. Under the instant application, Valley Motor Lines undertakes to transport over this alternate route tonnage moving directly between the San Francisco Bay Cities, specified above, and Sacramento. However, no intermediate points would be served.

Certain advantages, assertedly, would flow from applicant's proposal. As stated, the alternate route is shorter, by thirty-seven miles, than that over which Valley must now operate. Operation over the shorter route, it is stated, would reduce operating costs, and would tend to conserve both tires and motor vehicle equipment. Moreover, shippers would be accorded a more expeditious service.

The Commission has been advised by the carriers in the field that they have no objection to the application. Those which have thus signified their consent comprise Railway Express Agency, Inc., Southern Pacific Company, Pacific Motor Trucking Company,

Western Pacific Railroad Company, Sacramento Northern Railway, and  
The River Lines.

Under the circumstances, the application will be granted. Decision No. 35972, to the extent that the authority therein granted may be enlarged by the order which follows, shall be deemed to have been modified accordingly. This is not a matter requiring a public hearing.

O R D E R

Application having been made as above, entitled, the Commission having considered the matter, and it having been found 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 Valley Motor Lines, Inc., 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 San Francisco, Oakland, Alameda, Berkeley, Emeryville and San Leandro, on the one hand, and Sacramento, on the other hand, via U. S. Highway No. 40, as an alternate route to that now used by applicant between said points, via Manteca, Stockton, Lodi and Walnut Grove.

Said certificate is granted subject to the following limitation:

(a) No service may be performed from or to any point intermediate between Berkeley and Sacramento, nor between such intermediate points themselves.

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

service regulations:

- (a) Applicant shall within 30 days from the date hereof file an acceptance of the certificate herein granted.
- (b) Applicant shall comply with General Order No. 80 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective tariffs and time tables reflecting the authority herein granted, within 60 days from the date hereof and upon not less than 5 days' notice to the Commission and the public.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of March, 1946.

[Signature]

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[Signature]

[Signature]

COMMISSIONERS