

Decision No. 38931

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of R. J. Thompson Truck Company for a Certificate of Public Convenience and Necessity to operate motor truck service as a highway common carrier of property between Los Angeles, Glendale, Pasadena, Hynes, North Long Beach, Long Beach, Los Angeles Harbor, viz.: (East San Pedro, San Pedro and Wilmington), Montebello, Pico and intermediate points on the Union Pacific Railroad.

**ORIGINAL**

Application No. 27287

O P I N I O N

Applicant requests authority under Section 50 3/4 of the Public Utilities Act to establish and operate a pickup and delivery motor truck service as a highway common carrier of commodities generally, between (1) Los Angeles and Glendale, (2) Los Angeles and Pasadena, (3) Los Angeles and Hynes, North Long Beach, Long Beach, Los Angeles Harbor, viz: (East San Pedro, San Pedro and Wilmington), (4) Los Angeles and Montebello and Pico, and points intermediate of said termini situated on the line of the Union Pacific Railroad Company.

Applicant is presently engaged in performing a similar service in Los Angeles and vicinity for said railroad.

No definite routes will be followed in performing the proposed service but use will be made of all convenient public streets and highways between stations of the said railroad and between the various points named.

The rates to be assessed for such service and the rules and regulations governing the same will be those contained in the applicable tariff or tariffs to which the Union Pacific Railroad Company is a party. Applicant's compensation for such transportation service will be paid by said Union Pacific Railroad Company pursuant to agreement with applicant.

Common carriers now serving the territory, it appears, have no objection to the granting of the application.

The following conditions exist which are relied upon by applicant as justification for granting of the application:

"The Union Pacific Railroad Company is party to Tariffs on file with the California Railroad Commission covering rates between points on its line within California viz: Los Angeles, Glendale, Pasadena, Hynes, North Long Beach, Long Beach, Los Angeles Harbor, Montebello, Pico and intermediate points thereto.

"The Union Pacific Railroad Company does not operate its own Motor Trucks therefore must employ an independent carrier. Applicant is now performing and for many years has performed service for the Union Pacific Railroad Company within terminal area of Los Angeles on shipments moving in Interstate commerce. The movement of shipments in intrastate commerce by said Union Pacific Railroad is practically nil, the preponderance of the movement being in interstate commerce.

"Applicant is familiar with the handling of freight shipments for said Union Pacific Railroad Company and can best serve the interests of said Railroad by performing the substituted service herein proposed. Such substituted service performed under contractual arrangements with Union Pacific Railroad Company will result in material benefit to shipping public."

The proposed service will conform with the requirements of said Union Pacific Railroad Company and applicant will use such equipment as is necessary and appropriate to handle the commodities.

It appearing that the proposed service is in the public interest, the application will be granted. This matter does not require a public hearing.

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 R. J. Thompson, 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 Los Angeles, on the one hand, and Glendale, Pasadena, Hynes, North Long Beach, Long Beach, Los Angeles Harbor, viz: (East San Pedro, San Pedro and Wilmington ), Montebello and Pico, on the other hand, and intermediate points on the line of the Union Pacific Railroad Company, subject to the following condition:

(a) The service authorized shall be limited to the transportation of shipments received from or delivered to the Union Pacific Railroad Company, and all of said shipments shall receive, in addition to the movement by truck, an immediately prior, or an immediately subsequent movement by rail.

(2) That in the operation of the highway common carrier service, pursuant to the foregoing certificate, R. J. Thompson shall conform to and observe the following service regulations:

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.
- (b) Applicant shall, within 60 days from the effective date hereof and upon not less than one day's notice to the Commission and the public, establish the service herein authorized and 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.
- (c) Subject to the authority of the Commission to change or modify them at any time by further order, applicant may conduct highway common carrier operations as authorized herein over any and all available public streets and highways.

The effective date of this order shall be 20 days from the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of May, 1946.

Harold Rudman  
Justin D. Calmes  
Francis W. ...  
Harold ...  
Harold ...  
 COMMISSIONERS