

Decision No. 40314**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
 RAILWAY EXPRESS AGENCY, INCORPORATED,)
 for Certificate of Public Convenience)
 and Necessity [for the transportation of) Application No. 29216
 sea food products (as described herein))
 by motor truck between its Los Angeles)
 express terminals on the one hand, and)
 Lynwood, Compton, Long Beach, Wilmington)
 and San Pedro on the other hand.)

C O P I N I O N

Railway Express Agency, Incorporated, a Delaware corporation, requests a certificate of public convenience and necessity, authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 2 3/4 of the Public Utilities Act, for the transportation of certain specified sea-food products, between its Los Angeles express terminals, on the one hand, and Lynwood, Compton, Long Beach, Wilmington, and San Pedro, on the other hand.

A public hearing was held by Examiner Syphers at Los Angeles on May 13, 1947.

No protestants appeared at the hearing. From applicant's evidence we find it to be willing and able to conduct the proposed operation. Although it is a foreign corporation, incorporated under the laws of Delaware, applicant is qualified under Section 26 of the Public Utilities Act to engage in public utility business in California.

Public witnesses, officers of various fish dealers, and brokers appeared at the hearing. Testimony adduced indicates a public need for the proposed service. At the present time the fish dealers ship by applicant company, which, in turn, uses a railroad as the underlying carrier for the area covered by this application. This results in delays due to railroad schedules and also involves various handlings in hauling to the trains, loading, unloading, and hauling from the trains. The instant proposal is to perform short hauls by motor truck, thus eliminating these extra handlings and also the delays. The request is limited to motor truck hauls "auxiliary to, and supplemental of, railway or air express service, and coordinated with service over rail and air lines . . ." (1)

Upon full consideration of the matter we are of the opinion that the proposed operation is in the public interest and, therefore, the application will be granted.

O R D E R

Application having been made in the above-entitled matter and the Commission being fully advised and finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Railway Express Agency, incorporated (a Delaware corporation), 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, for the transportation of fish and shellfish products, namely, fish, shellfish, and

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shellfish meats and fish roe (except live fish), fresh, frozen, salted, smoked, dried, cured, or canned, between its terminals in Los Angeles, located at the Los Angeles Union Depot, Atchison, Topeka and Santa Fe Railway Company team tracks at First Street and Santa Fe Avenue and Southern Pacific Company's team tracks at Fourth Street and Central Avenue and Sixth and Mill Streets, and applicant's company-owned building at 547 South San Pedro Street, on the one hand, and on the other hand points in Los Angeles, Lynwood, Compton, Long Beach, Wilmington, and San Pedro, subject to the following condition:

The service herein authorized shall be limited to the transportation of express traffic moving in the custody of Railway Express Agency, Incorporated (a Delaware Corporation), under through bills of lading or express receipts, and said traffic shall receive, in addition to the highway common carrier movement by applicant, as herein authorized, an immediately prior or an immediately subsequent movement by rail, aerial transportation facilities, or by applicant's line-haul trucks.

(2) That in providing service pursuant to the foregoing certificate, applicant shall observe the following service regulations:

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
- (b) Applicant shall, within sixty (60) days from the effective date hereof and upon not less than one (1) 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 this Commission to change or modify such at any time, Railway Express Agency, Incorporated, shall conduct said highway common carrier operation over and along the

following described route:

Starting at Los Angeles Union Depot at 357 Aliso Street; thence over city streets of Los Angeles and Huntington Park to intersection of Alameda Street at Florence Avenue; thence over Alameda Street, a county road, to intersection at Century Boulevard; thence over the city streets of Lynwood and Compton to intersection of Alameda Street at Greenleaf Street; thence over Alameda Street, a county road, to intersection at Lomita Boulevard; thence via city streets of Wilmington, Long Beach and San Pedro to destination. Return over the same route.

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

Dated at San Francisco California, this 27th day of May, 1947.

Harold P. Kule

Justus J. Cisner

Irving S. Powell

A. J. Morrison

Samuel J. Fetter
COMMISSIONERS