

Decision No. 40830

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
V. Fred Jakobsen, doing business under)	
the name and style of TRANSBAY MOTOR)	
EXPRESS CO., for a temporary amendment)	Application No. 28782
of certificate and emergency relief)	
authorizing substitution of motor truck)	
for a motorcycle truck.)	

OPINION AND ORDER

Applicant is a highway common carrier of property between San Francisco and Oakland, Alameda, Berkeley, Emeryville and Piedmont. His common carrier rights are limited to operations with motorcycle equipment. He seeks authority to rent a motor truck and to operate this truck temporarily in line-haul service between his San Francisco and Oakland terminals.

The verified application shows that applicant has been operating twelve "motorcycle rearcar units" and three "motorcycle sidecar units" with carrying capacities of 1800 and 750 pounds, respectively. It also shows that one "rearcar" unit has been employed in transbay service between terminals, that all of the other units have been required for pickups and deliveries and for necessary standby and emergency use and that on October 6, 1947 the "rearcar" unit assigned to line-haul operations was destroyed in a collision at the Bay Bridge Toll Plaza.

Applicant alleges that all fifteen units have been needed in order to maintain his regular service, that motorcycle equipment suitable to replace the destroyed "rearcar" unit cannot be obtained

for some time, that he is just entering the period of peak traffic in his common carrier operation, and that in this period which will extend through January 1948 he will not be able to meet the demand for his service unless he is permitted to operate a truck in lieu of the demolished transbay motorcycle unit.

The Pacific Motor Tariff Bureau protests the granting of the sought authority and urges that the application be set for hearing. It claims that no emergency need for this authority has been shown. It points out that in Application No. 28456 applicant proposes to substitute motor trucks for all of his motorcycle equipment and that this matter has been partially heard. Protestant claims that the record thus far made in that proceeding demonstrates that applicant's present equipment if properly used will provide ample space for the tonnage to be handled.

Applicant does not here propose to provide any different or greater service with truck equipment than that he now provides with motorcycles. The showing made demonstrates that the granting of the sought authority is necessary in order to enable applicant to meet his common carrier obligations under the circumstances now prevailing. A public hearing is not necessary. The application will be granted. This action is, of course, without prejudice to the conclusion which may be reached in Application No. 28456, in which permanent substitution of trucks for motorcycles is proposed.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that V. Fred Jakobsen be and he is hereby authorized to rent a motor truck and substitute it for motorcycle equipment in transporting property between his San Francisco

and Oakland terminals until such time as he is able to secure a motorcycle unit replacement or until January 31, 1948, whichever is earlier.

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

Dated at San Francisco, California, this 21st day of October, 1947.

Harold P. Kule

Justin J. Craven

R. B. [unclear]

Kenneth [unclear]
Commissioners