

ORIGINAL

Decision No. 41126

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of)
 RAILWAY EXPRESS AGENCY, INCORPORATED, for)
 a Certificate of Public Convenience and)
 Necessity for the Transportation of Property) Application No. 28840
 by Motor Truck between Fairfield-Suisun and)
 the United States Army Base known as the)
 Fairfield-Suisun Transport Command Base and)
 to apply the same Express Rates.)

A. L. Demek and Edward Stern for applicant.
Frank Loughran for Jacques Reutlinger, interested party.

O P I N I O N

In this proceeding, Railway Express Agency, Incorporated, (a Delaware corporation), seeks (a) a certificate of public convenience and necessity authorizing it to operate as an express corporation and highway common carrier between Suisun-Fairfield and the Fairfield-Suisun Army Air Field and (b) authority to apply the same rates on express shipments from or to the Air Field as are applicable at Suisun-Fairfield but in no case lower than the rates established by the Commission as minima.

It is proposed to restrict the contemplated highway operation to the transportation of express traffic moving under through bills of lading or express receipts and which receives an immediate prior or subsequent movement by aerial or rail transportation facilities.

A public hearing was held before Examiner Bradshaw at Fairfield.

Applicant has maintained express service at Suisun and Fairfield for many years. Its route agent having supervision over

operations in that area declared that Army authorities have requested that service be extended to the Air Field, located approximately 4 miles from applicant's depot. Daily service is contemplated, using a 1½ ton truck which the witness believes will be sufficient. It was stated that additional equipment is available, if needed. According to the testimony, the proposal, both as to service and rates, conforms to applicant's practice in similar situations. A movement of approximately 750 shipments a month is anticipated.

Testimony was also presented by the district transportation officer for the Army Air Forces. He expressed an eagerness for the proposed express service, claiming that Army trucking equipment and personnel are now limited, with the result that the picking up and delivering of express shipments at applicant's Suisun-Fairfield depot causes considerable inconvenience in the operations at the Air Field.

No one opposed the granting of the application.

Upon careful consideration of the evidence of record in this proceeding, the Commission is of the opinion and finds (1) that public convenience and necessity require that Railway Express Agency, Incorporated, extend its service at Suisun and Fairfield to include the Fairfield-Suisun Army Air Field as proposed in the application herein and (2) that applicant should be authorized to apply on shipments moving from or to the Air Field the same rates and charges as applicable from or to Suisun-Fairfield.

O R D E R

✓ A public hearing having been had in the above-entitled application and the Commission, ~~based~~ upon the evidence, having found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it is hereby granted to Railway Express Agency, Incorporated, (a Delaware corporation) authorizing the establishment and operation of service as an express corporation, as defined in Section 2 (k) of the Public Utilities Act, between Suisun-Fairfield and the Fairfield-Suisun Army Air Field.

(2) That a certificate of public convenience and necessity be and it is hereby granted to Railway Express Agency, Incorporated, (a Delaware corporation) 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, between Suisun-Fairfield and the Fairfield-Suisun Army Air Field, 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, 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 immediately subsequent movement by rail or aerial transportation facilities.

(3) That in the operation of service as an express corporation as herein authorized, Railway Express Agency, Incorporated, (a Delaware corporation) be and it is hereby authorized to apply and make effective for the transportation of property to and from the Fairfield-Suisun Army Air Field rates which shall be published and maintained at a level identical with those concurrently in effect and applicable to the transportation of like property to and from Suisun-Fairfield.

(4) That in providing service pursuant to the certificates

herein granted applicant shall comply with and observe the following service regulations:

pl.

- (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 commence the service herein authorized within a period of not exceeding 60 days from the effective date hereof and shall comply with the provisions of Tariff Circular No. 2, 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 on not less than one day's notice to the Commission and the public.
- (c) Subject to the authority of the Commission to change or modify it by further order, the route to be used by applicant between Suisun-Fairfield and the Fairfield-Suisun Army Air Field shall be over and along California Highway No. 12.

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

Dated at Los Angeles, California, this 13th day of January, 1948.

R. J. Zimmerman
Justice J. G. Cannon
Walter H. Powell
Harold P. Kels
Penelope Totten
 COMMISSIONERS