

ORIGINAL

Decision No. 41825

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA MOTOR TRANSPORT CO., LTD)
for authority to serve points north)
of San Luis Obispo to and including)
Salinas for the transportation of)
express traffic of CALIFORNIA MOTOR)
EXPRESS, LTD., originating at or)
destined to Los Angeles or points)
beyond Los Angeles.)

Application No. 29080

O P I N I O N

In this application, as amended, California Motor Transport Co., Ltd., seeks a highway common carrier certificate authorizing it to serve all points along U. S. Highway No. 101 intermediate to San Luis Obispo and Salinas, including Salinas but excluding San Luis Obispo, for the transportation of traffic of California Motor Express, Ltd., an express corporation, originating at or destined to Los Angeles or points south or east thereof. Applicant also seeks authority to interchange at Salinas with Highway Transport, Inc., a highway common carrier, traffic of Motor Express originating at or destined to Watsonville, Santa Cruz, Monterey and other points on the Monterey Peninsula served by said Highway Transport, Inc.

Under the first proposal applicant would provide a direct service between Los Angeles and points south or east thereof and Salinas without the necessity, in all instances, for interchange with Pacific Freight Lines at San Luis Obispo of traffic of Motor

(1) California Motor Transport Co., Ltd. and California Motor Express, Ltd. will be referred to as applicant and Motor Express, respectively.

Express. In support of its request for such authority, applicant alleges that it could eliminate the existing interchange of a great deal of the traffic of Motor Express with Pacific Freight Lines at San Luis Obispo where applicant maintains substantial terminal facilities through which it could handle said traffic with greater convenience to the public and with less time in transit than is now possible. However, the Commission is informed that applicant would continue interchange of Motor Express traffic at San Luis Obispo with Pacific Freight Lines for such of that traffic that would move over the facilities of Pacific Freight Lines. Applicant does not propose to provide any service between Los Angeles and San Luis Obispo.

According to the application, Motor Express uses applicant as its underlying carrier of through traffic moving between Los Angeles and points beyond Los Angeles, on the one hand, and Salinas and other points, on the other hand, with interchange at San Jose. Applicant was certificated by Decision No. 40904 in Application No. 28679 to provide this service.

Pursuant to that authority it is stated that at San Jose, applicant interchanges with Highway Transport, Inc. the express traffic of Motor Express moving to or from Salinas and other points served by Highway Transport, Inc. in the vicinity of Salinas. Applicant further asserts that Salinas is located about 60 miles south of San Jose; that although San Francisco and East Bay cities comprise the normal trading center for Salinas and points in the vicinity of Salinas there is also additional traffic moving between the Salinas area and the Los Angeles and Southern California areas served by Motor Express; that approval of applicant's request would

enable it to operate more efficiently and effect substantial economies; that the elimination of the round trip between Salinas and San Jose would shorten the trip between Los Angeles and Salinas by approximately 120 miles which would result in a saving in operating expenses on this traffic of approximately \$360 a month or \$4,320 annually.

Certain common carriers of property in the field have waived protest to the granting of the application. These include Highway Transport, Inc. and Pacific Freight Lines. Certain highway common carriers of uncrated used household goods, personal effects and related articles have waived protest to the granting of the application provided that restrictions are imposed upon applicant which would prohibit the transportation of those commodities.⁽²⁾ Applicant has consented to the imposition of such restrictions.

A review of the evidence in this proceeding leads to the conclusion that the proposals of applicant would enable it to eliminate unnecessary and wasteful operations and to provide a more efficient and expeditious service. Therefore, we find that public convenience and necessity require the establishment of the service proposed by applicant. The application will be granted. A public hearing is not necessary.

(2) The proposed restrictions would prohibit the transportation of:

- a. Uncrated used household goods, including household or personal effects commonly used in a household, such as clothing, furniture, furnishings, radios, musical instruments, stoves and refrigerators;
- b. Uncrated used fixtures and equipment, such as furniture, furnishings and other appurtenances commonly used in a store, office, museum, institution, hospital, or other establishment;
- c. Uncrated new household goods, fixtures and equipment as described above when not intended for purpose of resale.

O R D E R

An application as above entitled having been filed, the Commission being fully informed therein 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 is hereby granted to California Motor Transport Co., Ltd. authorizing it to establish and operate service as a highway common carrier, as defined in Section 2-3/4 of the Public Utilities Act, for the transportation of express traffic of California Motor Express, Ltd., an express corporation, as defined in Section 2(k) of the Public Utilities Act, originating at or destined to Los Angeles and points south or east thereof, on the one hand, and, on the other hand, originating at or destined to points along U. S. Highway No. 101 intermediate to San Luis Obispo and Salinas, including Salinas but excluding San Luis Obispo, subject to the following restrictions:

Applicant shall not transport

- (a) Uncrated used household goods, viz.: Household or personal effects commonly used in a household, such as clothing, furniture, furnishings, radios, musical instruments, stoves and refrigerators;
- (b) Uncrated used fixtures and equipment, such as furniture, furnishings and other appurtenances commonly used in a store, office, museum, institution, hospital, or other establishment;
- (c) Uncrated new household goods, fixtures and equipment as described in items (a) and (b), when not intended for purpose of resale.

(2) That a certificate of public convenience and necessity is hereby granted to California Motor Transport, Ltd. authorizing it to deliver to and receive from California Motor

Express, Ltd. at Salinas and to interchange with other common carriers at that point express traffic of California Motor Express, Ltd. originating at or destined to Los Angeles or points south or east of Los Angeles, or originating at or destined to Watsonville, Santa Cruz, Monterey and other points on the Monterey Peninsula.

(3) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- a. Applicant shall file a written acceptance of the certificates herein granted within a period of not to exceed 30 days from the effective date hereof.
- b. Within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicant shall establish the service herein authorized and comply with the provisions of General Order No. 80, by filing, in triplicate, and making effective, appropriate tariffs.
- c. Subject to the authority of this Commission to change or modify it by further order, applicant shall conduct operations pursuant to the certificates herein granted over and along U. S. Highway No. 101 between Los Angeles and Salinas.

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

Dated at San Francisco, California, this 7th day of July, 1948.

A. J. Friedman
Justice J. Casper
Wesley F. Russell
Harold P. Kuls
Berneth Patten
 COMMISSIONERS