

Decision No. 42121

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment)
of rates, rules and regulations for)
the transportation of property by)
common carriers as defined in the)
Public Utilities Act and highway)
carriers as defined in the Highway)
Carriers' Act.)

Case No. 4246

ORIGINAL

Appearance

Wm. Meinhold, for Northwestern Pacific
Railroad Company and Pacific Motor
Trucking Company.

SUPPLEMENTAL OPINION AND ORDER

By petition, Northwestern Pacific Railroad Company and Pacific Motor Trucking Company seek authority to extend the boundaries of their respective pickup and delivery zones at Mill Valley to include two small territories adjacent to the existing pickup and delivery areas and to apply Mill Valley rates to the additional territory. In addition, Pacific Motor Trucking Company proposes to eliminate certain residential areas of Mill Valley from its zone and to withdraw pickup and delivery rates from these areas.

A public hearing was had at Mill Valley on October 1, 1948, before Examiner Jacopi.

A witness for petitioners testified that the territories proposed to be added to the pickup and delivery areas are actually a part of the community; that shippers situated in these territories have requested pickup and delivery service; that the extensions are proposed to enable petitioners to accord persons and industries situated in the outlying business areas the same service and rates as those maintained within the present zones; and that there are no business establishments or persons similarly situated in territory

contiguous to the existing zones that are not now accorded similar service. The witness pointed out that by reason of the relatively short distances involved in the proposed changes deviations from the established minimum rates would be slight.

The witness further testified that the residential areas proposed to be eliminated from Pacific Motor Trucking Company's pickup and delivery zone are situated in mountainous territory involving operation over narrow roads with heavy grades and sharp curves. He asserted that pickup and delivery service in Mill Valley is regularly performed by the equipment operated by the Trucking Company in the line-haul service. This method of operation is employed, he said, because the volume of traffic has never been sufficient to warrant maintaining smaller equipment for performing the pickup and delivery services. The adverse conditions encountered in the residential areas in question, he also said, render operation of line-haul equipment therein unusually difficult and hazardous. The witness asserted that the areas in question are served by other carriers operating smaller equipment and that the granting of the sought authority would not leave such areas without pickup and delivery service.

The record shows that interested parties were notified of the hearing. No one appeared in opposition to the granting of the sought authority.

It appears from the evidence of record that pickup and delivery service within the areas proposed to be added to petitioners' present zones is surrounded by transportation conditions comparable to those surrounding like service in the commercial areas of said zones and that the sought rate equality is justified. It also appears that withdrawal of pickup and delivery rates from defined residential areas of Mill Valley by Pacific Motor Trucking Company is justified for the reasons advanced by petitioner. The proposed revisions of the zoning arrangements will be authorized.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Northwestern Pacific Railroad Company and Pacific Motor Trucking Company be and they are hereby authorized to enlarge their pickup and delivery zones at Mill Valley, as requested, and to establish for the transportation involved rates less than the minimum rates prescribed by Decision No. 31606, as amended, in this proceeding, but not less than those prescribed for like transportation from and to Mill Valley; that Pacific Motor Trucking Company be and it is hereby authorized to eliminate from its Mill Valley pickup and delivery zone the territory as proposed herein and to withdraw the rates applicable thereto; and that the revised pickup and delivery zones and changes in rates authorized herein may be established within sixty (60) days from the effective date of this order on not less than five (5) days' notice to the Commission and to the public.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 11th day of October, 1948.

R. E. Montgomery
Justice F. C. Green
Harold P. Kula
Kenneth L. Potter

Commissioners