

ORIGINAL

Decision No. 42353

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA MOTOR TRANSPORT CO., LTD.,)
a corporation, for a highway common)
carrier certificate authorizing the)
through transportation, without inter-)
change with Pacific Freight Lines at)
San Luis Obispo, of express traffic of)
CALIFORNIA MOTOR EXPRESS, LTD., between)
Los Angeles and Points now served by)
CALIFORNIA MOTOR TRANSPORT CO., LTD.,)
north of San Luis Obispo.)

Application No. 29569

O P I N I O N

In this proceeding applicant, California Motor Transport Co., Ltd., seeks a certificate of public convenience and necessity authorizing it, as an underlying highway common carrier for California Motor Express, Ltd.,⁽¹⁾ an express corporation, to engage in the transportation of express traffic originating at or destined to Los Angeles (including points south and east thereof) and all points north of San Luis Obispo along State Highway No. 1, and also along U. S. Highway No. 101 intermediate to San Francisco, which applicant may presently serve under operating authority granted originally to Valley and Coast Transit Company, as a highway common carrier, and subsequently acquired by applicant. By this application, California Motor proposes to eliminate the necessity for any interchange of lading at San Luis Obispo, between it and Pacific Freight

(1) For brevity applicant California Motor Transport, Co., Ltd., will hereafter be designated as California Motor, and its affiliate California Motor Express, Ltd., as California Express. Also, Los Angeles, when indicated as a point of origin or destination on the line of California Express, shall be deemed to include points south and east of that city, served by that carrier.

Lines, when transporting the express traffic of California Express between Los Angeles and points served by applicant north of San Luis Obispo.

As a highway common carrier, applicant is authorized to transport express traffic for California Express between Los Angeles and San Francisco;⁽²⁾ its operations also extend from San Luis Obispo northward to San Francisco.⁽³⁾ Applicant neither possesses nor seeks any operating authority to transport freight locally between Los Angeles, San Luis Obispo and intermediate points.

In general, California Express operates as an express corporation between points in central and southern California, Express traffic moving between Los Angeles and points north of San Luis Obispo, presently served by California Motor, is transported by Pacific Freight Lines, as the underlying carrier, between Los Angeles and San Luis Obispo, and by applicant beyond that city, except in those instances where applicant has been authorized to handle such traffic without interchange with Pacific Freight Lines at San Luis Obispo, and, accordingly, may perform the complete, underlying transportation service. Such authority has been granted to applicant with respect to express traffic moving between Los Angeles, San José⁽⁴⁾ and Salinas.⁽⁵⁾

Through the elimination of this interchange, it is alleged, a more expeditious service could be provided between Los Angeles and

(2) Decision No. 22509, dated June 5, 1930.

(3) By Decision No. 37472, dated November 9, 1944 (45 CRC 502), applicant was authorized to acquire the operative rights previously granted to Valley and Coast Transit Company.

(4) Decision No. 40904, rendered November 12, 1947.

(5) Decision No. 41825, rendered July 7, 1948.

points north of San Luis Obispo not now served by applicant as an underlying carrier for California Express. Thus, first-day delivery would be assured at the latter communities - a service not always available at present. Moreover, economies could be effected by making available to California Express a single underlying carrier between these points. The traffic involved, it is stated, would exceed 20 tons daily. California Motor and Pacific Freight Lines would continue to interchange at San Luis Obispo, any freight moving over the latter's line between Los Angeles, San Luis Obispo and intermediate points.

In view of the improvement in service and the economies in operation which would be accomplished, we believe that the approval of this application would be in the public interest. All rail and truck common carriers in the field have expressly waived protest against the granting of the application. ⁽⁶⁾ The application, accordingly, will be granted. This is not a matter requiring a public hearing.

O R D E R

Application as above entitled having been filed, the Commission having considered the matter and hereby finding that public convenience and necessity so require,

(6) The carriers which have waived protest against the granting of this application comprise Southern Pacific Company, Pacific Motor Trucking Company, Railway Express Agency, Inc., Valley Express Company, Valley Motor Lines, Inc., Pacific Freight Lines, Pacific Freight Lines Express, Coast Line Truck Service, Inc., Bekins Van Lines, Inc., Lyon Van Lines, Inc., James Van Lines and California Moving & Storage Association.

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to California Motor Transport, Co. Ltd., a 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, under which it may engage in the transportation of express traffic as an underlying carrier for California Motor Express, Ltd., (an express corporation, as defined by Section 2(k), Public Utilities Act), originating at or destined to Los Angeles (including points south and east thereof), on the one hand, and, on the other hand, all points north of San Luis Obispo, along State Highway No. 1 and also along U. S. Highway No. 101, intermediate to San Francisco, which applicant presently is authorized to serve by virtue of any highway common carrier certificate originally issued to Valley and Coast Transit Company and subsequently acquired from the latter by applicant.

This certificate is granted subject to the following limitations, viz:

Applicant shall not engage in the transportation of

- a. Unrated 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. Unrated used fixtures and equipment, such as furniture, furnishings and other appurtenances commonly used in a store, office, museum, institution, hospital, or other establishment;
- c. Unrated new household goods, fixtures and equipment as described above when not intended for purpose of resale.

(2) 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 certificate 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 and Part IV of General Order No. 93-A, by filing in triplicate and concurrently making effective, appropriate tariffs and time tables.
- c. Subject to the authority of this Commission to change or modify them by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along any and all routes over which applicant is presently authorized to operate between the points involved herein.

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

Dated at San Francisco, California, this 28th day
of December, 1948.

R. J. [Signature]
Justice J. [Signature]
[Signature]
[Signature]
[Signature]
COMMISSIONERS