

ORIGINAL

Decision No. 43262

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA MOTOR TRANSPORT CO., LTD.,)
for extension of its highway common)
carrier certificate along U. S. High-)
way 99 from Califa to Sacramento.)

Application No. 30295

- Douglas Brookman, for applicant and for California Motor Express, Ltd.
- John Balluff, for The Atchison, Topeka & Santa Fe Railway Company, protestant.
- Lloyd R. Guerra, for Western Truck Lines, protestant.
- W. A. Gregory, Jr., for Southern Pacific Company and Pacific Motor Trucking Company, protestants.
- T. R. Dwyer, President, for Delta Lines, Inc., in support of the application.
- C. A. Millen, General Traffic Manager, for Valley Motor Lines, Inc. and Valley Express Company, interested parties.

O P I N I O N

By this application, California Motor Transport Co., Ltd. seeks a certificate of public convenience and necessity authorizing an extension of its existing route along U. S. Highway 99 to include points north of Califa as far as Stockton and Sacramento presently served by California Motor Express, Ltd. The plan is that overnight, direct service will be accorded express traffic of California Motor Express, Ltd. between Los Angeles, Sacramento and intermediate points north of Fresno, instead of the present two-day service now rendered by the express company by use of Valley Motor Lines, Inc. and Delta Lines, Inc. as underlying carriers, involving interchange of ladings at Fresno and San Francisco. No local traffic between San Francisco Bay points and the Sacramento-Stockton area will be handled in either direction under the proposed operation. The application alleges that, in addition to saving one days' delivery time, improved service and operating economies will result from use

of a single underlying carrier.

The application was submitted following public hearings held at San Francisco on June 20 and July 5, 1949, before Examiner Gregory. It was opposed by Western Truck Lines, Southern Pacific Company and its trucking subsidiary, Pacific Motor Trucking Company, and by The Atchison, Topeka & Santa Fe Railway Company. Delta Lines, Inc. supported the proposal. Valley Express Company and Valley Motor Lines, Inc. appeared at the closing hearing as interested parties.

The evidence shows that California Motor Express, Ltd. has approximately 3,600 regular shippers and receivers of freight at Los Angeles. During the first four months of 1949, substantial amounts of freight were handled from Los Angeles northbound to Sacramento, Stockton and other points north of Fresno, and lesser, though considerable, quantities from the northern points mentioned moved to Los Angeles. ⁽¹⁾ The northbound traffic from Los Angeles and San Joaquin Valley points south of Fresno destined to Sacramento and Stockton is now transported by California Motor Transport to San Francisco, where it is transferred to the Delta Lines' dock and carried to Sacramento and Stockton on the latter's equipment. The southbound movement is handled by the reverse of that process. Northbound freight from Los Angeles and Valley points destined to points north of Fresno and south of Stockton is interchanged at Fresno with Valley Motor Lines. The record reveals such interchange operations result in delays, are expensive, and cause cargo loss and damage due to the multiple handling involved. Under the plan

(1) Exhibits Nos. 1 - 4.

proposed by applicant, all freight now subject to the multiple underlying transportation would be handled through to destination by applicant, except that at Sacramento and Stockton pickups and deliveries would be made by Delta Lines as agent for California Motor Express, Ltd. Delta Lines appears to have terminal facilities and equipment at both those points suitable for handling the traffic.

Southern Pacific now accords second-day delivery on less-than-carload freight between Los Angeles, Sacramento, Stockton and Modesto and first-day delivery between Fresno, Stockton and Sacramento. The Atchison, Topeka & Santa Fe Railway operates two scheduled freight trains daily between Los Angeles and Stockton which provide second-morning delivery on carload freight shipments between those points. Carload shipments between Los Angeles and Sacramento are handled between Stockton, Sacramento and intermediate points via Western Pacific Railroad, Southern Pacific, or Central California Traction Company, with service normally on the basis of third-morning delivery. Western Truck Lines, the other protestant, does not now hold highway common carrier authority between the points involved in this application.

We find as a fact that public convenience and necessity require the highway common carrier service as proposed herein. The application, accordingly, will be granted.

ORDER

Public hearing having been had in the above-entitled and numbered proceeding, evidence having been received and considered, the matter having been submitted, the Commission being fully advised and basing its order upon the findings and conclusions

contained in the foregoing opinion,

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to California Motor Transport Co., Ltd., authorizing it to operate a highway common carrier service, via U. S. Highway No. 99, between Califa and Sacramento and intermediate points for the transportation of express traffic of California Motor Express, Ltd. to and from points served by California Motor Express, Ltd. along said route north of Fresno to and including Sacramento.

IT IS FURTHER ORDERED that in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days after the effective date hereof.
2. Within 60 days after 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.

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

Dated at San Francisco, California, this 29th day of August, 1949.

R. E. Dwyer
Justin J. Brewer
J. H. Kline
Harold P. Kild

COMMISSIONERS