

ORIGINAL

Decision No. 42606

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC MOTOR TRUCKING COMPANY for)
a certificate of public convenience)
and necessity to operate motor truck)
service as a highway common carrier)
of property between Oakland and Tracy,)
California, and certain intermediate)
points.)

Application No. 26433

W. A. Gregory, Jr., and Wm. Meinhold, for applicant.

SECOND SUPPLEMENTAL OPINION

By Decision No. 39414, dated September 17, 1946, in this proceeding, Pacific Motor Trucking Company was granted a certificate of public convenience and necessity, authorizing operations as a highway common carrier between Oakland and Tracy, serving rail intermediate points situated on the line of Southern Pacific Company extending from Oakland to Tracy via Martinez and those situated on the San Ramon branch line extending from Avon to San Ramon. The certificate was subject to a number of limitations and conditions, some of which were modified by Decision No. 40364, dated June 3, 1947. By the terms of this latter decision, it was provided, among other things, that the operative right shall not be used in combination with any other operative right held by applicant to permit the operation of through service between various points, including those between Vallejo and points north and east thereof (other than Benicia). The same decision also provided that no shipments shall be transported through certain specified points, including Vallejo.

By petition, filed September 23, 1949, applicant seeks an order modifying these restrictions so as to permit it to establish through truck operations between San Francisco Bay points and communities north of Vallejo to and including Calistoga. A public hearing upon the petition was held before Examiner Bradshaw at San Francisco.

It was testified that at the present time less-carload freight traffic transported by applicant and Southern Pacific Company - applicant's parent company - between the Bay area and the territory north of Vallejo moves in freight train service between Oakland and Napa, where shipments are transferred to or from trucks operated by applicant.

According to exhibits of record prepared by applicant's witnesses, the proposed method of handling shipments in through truck movement will result in a reduction in train operating expenses of about \$25,259.40 per annum as compared with an estimated increased trucking cost of \$19,512.00. The traffic which moved from and to the points involved from the first to the twentieth day of October, 1948, January, April and July, 1949, aggregated 3,021 shipments.

An operating official of Southern Pacific Company testified that, by the operation of through trucks, shipments from the Napa Valley to San Francisco and Oakland would be accorded a first morning delivery, instead of a second morning or afternoon delivery at Oakland and a fourth morning delivery at San Francisco under present operating schedules. He stated that shipments from the Bay area to Napa Valley points now receive a first morning delivery, but that under the proposed method of operation

they will be delivered about one hour earlier than at present.

No one opposed the granting of the relief sought by applicant.

Upon the facts presented, the Commission is of the opinion that applicant and Southern Pacific Company should be permitted to effect the contemplated operating economies and improvement in service. We accordingly find that public convenience and necessity require that the petition for modification of order be granted.

SECOND SUPPLEMENTAL ORDER

Applicant having sought a modification of the decisions previously rendered herein, a public hearing having been had, and the Commission having found that public convenience and necessity so require,

IT IS ORDERED that subparagraph (c), paragraph (1), of the order contained in Decision No. 39414, as amended by Decision No. 40364, in this proceeding, be and it is hereby further modified and amended to read as follows:

"(c) The operative right granted herounder shall not be used in combination with any other operative right held by applicant to permit the operation of through service between San Francisco and points north and south thereof (other than points extending north to and including San Rafael, Fairfax, Sausalito, Mill Valley and San Quentin; and south to and including San Jose); between Oakland and points south thereof (other than points extending south to San Jose, via Niles and Conterville; and south and east to and including Livermore and Pleasanton and west to San Francisco, and points that may be served through that point); between Creston (a railroad station located approximately three and one-half miles east of the junction of California Highway 29 and California Highway 12, known as Napa "Y") and points east thereof; between Dublin and points east, south and west thereof (other

"than points extending south and east to Livermore and Pleasanton; and south and west to San Jose, via Hayward, Niles and Centerville); and between Manteca and Tracy, respectively, and points south, east and north thereof (other than points extending south to Merced and Los Banos, respectively; and north to Stockton and Lodi). No shipments shall be transported by applicant through San Francisco, Oakland, Creston, Manteca, Dublin and Tracy, or any of said points, excepting to and from the points respectively, hereinabove specified."

The effective date of this supplemental order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 20th day of December, 1949.

R. E. Anderson
Justus F. Calver
Frank J. Powell
Harold Hill
Herbert Potter
COMMISSIONERS