

ORIGINAL

Decision No. 43981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of VALLEY EXPRESS CO., and VALLEY MOTOR LINES, INC., for an extension of the operating rights of VALLEY MOTOR LINES, INC., to serve as underlying carrier for the express traffic of VALLEY EXPRESS CO. between all points and places intermediate between San Francisco and San Jose situated on and along U. S. Highway 101 and U. S. Highway 101 By-Pass, otherwise known as Bayshore Boulevard, on the one hand and all points and places presently served by VALLEY EXPRESS CO., within the State of California, on the other hand. )  
Application No. 31038

O P I N I O N

Valley Motor Lines, Inc., by the instant application, as amended, seeks a certificate of public convenience and necessity authorizing it to extend its highway common carrier operating rights so as to enable it to serve points intermediate between San Francisco and San Jose on and along U. S. Highway 101 and U. S. Highway 101 By-Pass for the transportation of express traffic of Valley Express Co. moving between said points and other points served by Valley Express Co. within the State of California, excluding any service locally between San Francisco, San Jose and said intermediate points.

Applicant Valley Express Co. alleges that it is engaged in the transportation of property generally between points and places in Northern, Central and Southern California, on the one hand, and points and places intermediate between San Francisco and San Jose situated on and along U. S. Highway 101 and U. S. Highway 101 By-Pass on the other hand; that in serving the points immediately

last above mentioned, it utilizes Valley Motor Lines, Inc., as its underlying common carrier, in conjunction with Merchants Express Company which operates a highway common carrier service between San Jose and points intermediate between San Jose and San Francisco on the one hand, and San Francisco and Oakland on the other hand. Valley Motor Lines, Inc., alleges that the proposed extension will permit Valley Express Co. to eliminate Merchants Express Company as an additional underlying carrier between points intermediate between San Francisco and San Jose and other points served by Valley Express Co. within the State of California and enable it, as sole underlying carrier, to render a more expeditious service between such points; that between such points, Valley Express Co. will transpose its operations from a second day to an overnight service; that the express traffic of Valley Express Co. between such points will be handled by a single underlying carrier thus eliminating additional processing of freight presently required by transfer of Valley Express Co's traffic from Merchants Express Company to Valley Motor Lines, Inc.

Applicants further allege that the proposed extension will allow them to meet the competitive situation which has developed wherein other carriers are or will be able to provide overnight service between the points herein sought to be served, thereby improving existing service now accorded the public; that by this application Valley Express Co. does not seek to serve any points which it is not at present authorized so to do, but merely requests an extension of the authority of its chief underlying carrier Valley Motor Lines, Inc.

Copies of the application, as amended, were heretofore

(1)  
served and no protests thereto were received.

The Commission, upon full consideration of all the facts and circumstances, is of the opinion and hereby finds that public convenience and necessity require that this application be granted. A public hearing is not necessary.

O R D E R

An application having been filed, the Commission being fully informed and good cause appearing, now therefore,

IT IS ORDERED that a certificate of public convenience and necessity be and it is granted to Valley Motor Lines, Inc., authorizing it to operate as a highway common carrier as defined by Section 2-3/4 of the Public Utilities Act for the transportation of express traffic of Valley Express Co. between San Francisco and San Jose and intermediate points on and along U. S. Highway 101 and U. S. Highway 101 By-Pass on the one hand and points Valley Motor Lines, Inc., is presently authorized to serve on the other hand, except that service shall not be rendered locally to, from or between San Francisco, San Jose and intermediate points.

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 from the effective date hereof.

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(1) Affidavits of service filed with the Commission indicate service upon Southern Pacific Company and Pacific Motor Trucking Company, Merchants Express Company, Highway Transport, Inc., Intercity Transport Lines, California Motor Express, Ltd., Western Pacific Railway Co., Railway Express Agency, Peninsula Motor Express, Peninsula Delivery Service, Security Truck Line.

2. 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.

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

Dated at San Francisco, California, this 28<sup>th</sup> day of March, 1950.

R. Z. [Signature]  
Justin F. [Signature]  
[Signature]  
Harold [Signature]

COMMISSIONERS

Commissioner..... Kenneth Potter, being necessarily absent, did not participate in the disposition of this proceeding.