

Decision No. 44455

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of PACIFIC MOTOR TRUCKING COMPANY,)
a corporation, for a certificate)
of public convenience and neces-) Application No. 31138
sity authorizing transportation of)
property as a highway common)
carrier between Oxnard and Santa)
Susana, California.)

Frederick E. Fuhrman, for applicant and for Southern Pacific Company, intervenor on behalf of applicant. Donald Murchison for Pacific Freight Lines, and Pacific Freight Lines Express.

O P I N I O N

Pacific Motor Trucking Company, by its application, requests a certificate of public convenience and necessity under Section 50-3/4 of the Public Utilities Act, authorizing it to operate as a highway common carrier of property, except uncrated household goods and other commodities for which the Commission has prescribed minimum rates in Appendix "A" Decision No. 32325, City Carriers' Tariff No. 3, Highway Carriers' Tariff No. 4, between Oxnard and Santa Susana, California, serving all intermediate points which are stations on the lines of said Southern Pacific Company and all facilities of Camarillo State Hospital at or near Camarillo.

Public hearing was held in this matter June 7, 1950, at Oxnard, before Examiner Rowe. Oral and documentary evidence was received and the matter was duly submitted.

Applicant is a wholly owned subsidiary of Southern Pacific Company and the two corporations are closely associated in the transportation of freight. Applicant uses Southern Pacific agency facilities, and its purchasing agent, treasurer, traffic manager, and other officers hold the same respective positions with both companies. Most freight carried by applicant moves on Southern Pacific billing and the latter company collects its revenue. Principally, applicant is engaged in the business of operating motor trucks over the highway, supplemental to, and in coordination with, Southern Pacific Company's less-than-carload rail service in California and other states, as well as mail, express, newspapers, baggage, and other traffic of the railroad. Secondary to these operations, applicant conducts drayage service in towns and communities served by Southern Pacific Company, primarily for the purpose of affording the railroad a physical means of providing its customers a pickup and delivery service for merchandise moving under its store-door rates.

The principal reasons relied upon as justification for granting the requested certificate are: first, by utilizing the proposed service to handle its less-than-carload traffic, Southern Pacific Company will be able to offer to its patrons an improved L.C.L. service, especially as it relates to in-transit time, without incurring a prohibitive cost in providing such improvement; second, Southern Pacific Company, through this proposal, will effect certain economies in its present operating expense by being relieved of the physical handling, by rail car, of

L.C.L. traffic to and from the points proposed to be served; third, utilization of applicant's equipment presently stationed in the territory will be more complete; and fourth, a store-door service can be made available at certain stations on the proposed route presently served by Southern Pacific Company, which do not now have available such a service on rail L.C.L. shipments because of there not being available a contract drayman for employment.

The proposal contemplates that less-than-carload freight destined to points between Santa Susana and Oxnard will be handled by Southern Pacific Company rail service in a Los Angeles originated rail set-out car loaded to Oxnard. The truck of applicant presently based at Oxnard is used only a portion of the day at that point. In order to render store-door delivery to Camarillo and to the Camarillo State Hospital it has been necessary to deadhead this Oxnard truck approximately three days per week to Camarillo to furnish this service. Under the proposal, L.C.L. freight destined to Camarillo and points intermediate to Oxnard will be loaded from the Los Angeles originated rail car and linehauled by this truck to destination in lieu of the present handling from Oxnard by rail car to destination. Merchandise originating at points in the territory covered by the application will be picked up by this truck and hauled into Oxnard for subsequent loading onto Southern Pacific rail cars or to trucks operating into Ventura and other points. Regular service is presently contemplated on Monday, Wednesday, and Friday of each week and on-call service the other two week days in the

ovent traffic of a sufficient quantity to justify operation of the truck is presented. Service beyond Camarillo will be provided Mondays, Wednesdays, and Fridays on an on-call basis.

Applicant indicated a willingness to limit the traffic it will handle to such traffic as moves on the billing of the Southern Pacific Company at its published tariff rates.

There is at present a substantial movement of L.C.L. freight over the Southern Pacific rails from Los Angeles into this area. This car operates to Oxnard in a local freight train arriving there between 3:00 a.m. and 4:00 a.m., and is placed in the freight house for unloading at 8:00 a.m. The traffic destined to Camarillo and points east to, and including, Santa Susana, is handled in a car loaded at Oxnard, departing in a local freight train from that point approximately at 8:00 p.m. and unloads the merchandise at various points. This local train generally arrives at Santa Susana at about 1:00 a.m. and thence continues on to Los Angeles. This operation results in second-day depot service from Los Angeles to points involved in the application. Under the proposed method of handling by applicant, this L.C.L. freight, after being unloaded at 8:00 a.m. at Oxnard, will be transferred to Pacific Motor Trucking Company trucks and transported to, and delivered to, Southern Pacific Company's customers located at or near its present stations. The net result will be next-morning store-door delivery instead of second-day station delivery.

Ten public witnesses testified in favor of the granting of this application. Seven of these gentlemen represented

business firms in the territory and one was in charge of purchases for the Camarillo State Hospital, while the other two represented chambers of commerce. It is manifest from their testimony that public convenience and necessity require an improvement in the freight service of L.C.L. traffic moving over Southern Pacific rails to and from this territory, both as to time in transit and the establishment of store-door instead of station delivery and pickup.

Protestant Pacific Freight Lines is rendering efficient and satisfactory service to this territory. There was no evidence as to any inadequacy of that service. Most of the witnesses who testified on behalf of applicant indicated that, for one reason or another, they would continue to use Southern Pacific Company's service regardless of the granting of this application. Their patronage, in fact, has been retained in spite of the presently superior service of this protestant. Consequently, it is found that protestant will not be seriously affected by the granting of the above-entitled application. On the other hand, the service Pacific Motor Trucking Company seeks to render is a practical operation which is needed by the public using Southern Pacific Company's facilities and which will be of great convenience to them. Public convenience and necessity, therefore, require the issuance to applicant of the requested authority.

O R D E R

Public hearing having been held in the above-entitled proceeding, and the evidence having been fully considered and basing this order upon the record and the findings and conclusions contained in the foregoing opinion,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Pacific Motor Trucking Company authorizing it to operate as a highway common carrier, as that term is defined in Section 2-3/4 of the Public Utilities Act, for the transportation of property, except uncrated household goods and other commodities for which the Commission has prescribed minimum rates in Appendix "A", Decision No. 32325, dated September 19, 1939, in Cases Nos. 4086 and 4099, City Carriers' Tariff No. 3, Highway Carriers' Tariff No. 4, moving on billing of Southern Pacific Company at its published tariff rates, between Oxnard, California, on the one hand, and Santa Susana, California, on the other hand, serving all intermediate points which are at present stations on the lines of Southern Pacific Company, including all facilities of Camarillo State Hospital at or near Camarillo.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within thirty (30) days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.

- (b) Within sixty (60) days after the effective date hereof and on not less than five (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 the following routes:

Operating Route

From Oxnard to a point near Somis on California State Highway No. 118 via unnumbered highway, thence via California State Highway No. 118 to Santa Susana, California, and return via same route.

Alternate Routes - for operating convenience only

1. From a point on California State Highway No. 118 approximately one mile west of Simi to junction of U. S. Highway No. 101 approximately one mile east of Camarillo, thence via U. S. Highway No. 101 to El Rio.
2. From a point on California Highway No. 118 one mile east of Saticoy via California State Highway No. 118 to junction of basic operating route approximately one-half mile north of Somis.
3. From intersection of California State Highway No. 118 and unnumbered highway approximately three miles east of Saticoy in a southwesterly direction via unnumbered highway to junction of U. S. Highway No. 101, thence in a southerly direction via unnumbered highway (Rice Road) for approximately two miles to junction of unnumbered highway (Oxnard Road).

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

Dated at San Francisco, California, this 27th day of June, 1950.

[Signature]

[Signature]

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COMMISSIONERS