

ORIGINAL

Decision No. 44492

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 COAST LINE TRUCK SERVICE, INC. for)
 a certificate authorizing the trans-)
 portation as a highway common carrier)
 of citrus fruits between certain)
 Southern California points, on the one)
 hand, and San Francisco and Oakland and)
 San Jose and certain intermediate points,)
 on the other.)

Application No. 30421

Reginald L. Vaughan and John G. Lyons, for applicant.
Willard S. Johnson, for Hills Transportation Company;
Wm. F. Brooks and F. A. Jacobus, for The
 Atchison, Topeka & Santa Fe Railway Company
 and Santa Fe Transportation Company; Warren V.
Glass, H. J. Bischoff and H. P. Merry, for
 Southern California Freight Lines; H. P. Merry,
 for Southern California Freight Forwarders; and
Donald Murchison, for Pacific Freight Lines and
 Pacific Freight Lines Express, protestants.

O P I N I O N

By this application, Coast Line Truck Service, Inc. seeks a certificate of public convenience and necessity authorizing the establishment of service as a highway common carrier for the transportation of citrus fruits between points in southern California, on the one hand, and (a) San Francisco, Oakland and San Jose; (b) points intermediate between San Jose and San Francisco; and (c) points intermediate between San Jose and Oakland, on the other hand. Public hearings were held before Examiner Bradshaw at San Francisco and Los Angeles.

Applicant is authorized to transport certain fruits and vegetables, including citrus fruits, as a highway common carrier, from a limited area in Los Angeles to San Francisco Bay points, including San Jose. It also possesses additional rights as a

highway common carrier, which for the purposes of our decision herein need not be described. Terminals are located at Los Angeles, San Francisco, Oakland and Watsonville. According to its branch manager in the Los Angeles area, applicant transports citrus fruits from Los Angeles to the Bay area and has received numerous requests to establish the proposed service. It is proposed to transport truck-load shipments direct from packing houses in the producing areas to the Bay markets and to consolidate smaller consignments at Los Angeles. An overnight service is contemplated.

The principal stockholders of applicant, its manager testified, own another trucking company, known as the Produce Express, and the operations of both carriers are under the same management and control. The witness declared that Produce Express transports citrus fruits for eight or ten shippers and during 1949 handled an average of about 89 truckloads a month to the Bay area from southern California producing points (exclusive of the Los Angeles area applicant is authorized to serve). It was asserted that if the certificate herein applied for is granted applicant will take over the operations now conducted by Produce Express.

The same witness stated that consignees desire that citrus fruits be delivered during the early forenoon; that the fruit must not be permitted to become too cold or exposed to excessive heat in transit; that during summer months ice is placed in compartments of insulated equipment when the inside temperature exceeds 60 degrees Fahrenheit; and that it is desirable to avoid rehandling or trans-shipment while en route to destination.

A traffic consultant testified that applicant's proposed rates are in accordance with the Commission's minimum rate orders

and that rail rates will be met from certain points of origin. He stated that the published rates of a number of highway common carriers and express corporations are upon higher levels than applicant proposes to establish.

Three wholesale fruit and produce dealers in the Bay area, or their representatives, testified that the service rendered by applicant and Produce Express has been very satisfactory and that the continuance of the same type of service is necessary. According to these witnesses, rail service does not meet their requirements because of the longer time in transit. The advantages of early morning deliveries; overnight service; direct transportation without transfers en route, wherever possible; and careful handling by experienced operators were mentioned. It was stipulated that seven additional consignees would, if called as witnesses, give substantially the same testimony.

The secretary-manager of the Wholesale Fruit and Produce Dealers' Assn. of San Francisco testified that this Association's members require motor carrier transportation service for citrus fruits from southern California; that he understands trucks are preferable to rail service because the time in transit is shorter and by making door deliveries the transfer of lading is unnecessary; and that his members need an overnight service. According to this witness' estimate, 80 per cent of the citrus fruits moving from southern California to San Francisco is transported by applicant and Produce Express.

Several highway common carriers, express corporations and The Atchison, Topeka & Santa Fe Railway Company protested the granting of the application.

The president of Hills Transportation Company asserted that it operates a number of schedules each way between Los Angeles and San Francisco territories during six days a week and that, the southbound tonnage being greater than in the opposite direction, this carrier is in a position to handle additional northbound traffic. He declared that some shipments of citrus fruits have been transported without difficulty in handling or in delivering the same in satisfactory condition. According to the testimony, the only citrus fruits transported by this carrier other than that handled as a sub-hauler from the Los Angeles area since November 25, 1949, when it commenced operations as a highway common carrier, consisted of one shipment of 4,500 pounds.

The Atchison, Topeka & Santa Fe Railway Company affords second morning deliveries at San Francisco from most of the points it serves in the producing area, one of its operating officials testified. He stated that Santa Fe Transportation Company proposes to establish a highway common carrier service, giving a first morning delivery. According to this witness' understanding, the proposed delivery time is 7 a.m. The hours at which shipments would be picked up at points of origin were not stated.

The territory served by Southern California Freight Lines and Southern California Freight Forwarders was described by their vice president-traffic manager. It appears that these carriers serve most of the southern California points involved in the instant application and that the last mentioned carrier provides service north of Los Angeles through the use of underlying carriers other than Southern California Freight Lines. This witness testified that from points located within 50 or 60 miles of Los

Angeles the service to San Francisco is normally overnight, depending on the time shipments are tendered. It is claimed that these carriers have specialized in the transportation of fruit and produce for many years, that they are able to handle citrus fruit traffic and that they are soliciting it.

Four shippers from various southern California points testified that the service rendered by Southern California Freight Lines has met their requirements.

Having carefully examined the record in this proceeding, we are satisfied that a public need exists for the establishment of the service proposed by applicant. In our opinion, the showing made by protestants is insufficient to establish that they render or are presently equipped to render the type of service required for the movement of the traffic applicant seeks the right to haul as a highway common carrier.

Upon the facts presented, the Commission is of the opinion and finds that public convenience and necessity require the establishment and operation of service by applicant as a highway common carrier for the transportation of citrus fruits, as proposed in the application on file in this proceeding.

O R D E R

Public hearings having been had and the Commission, upon the evidence received, having found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and

necessity be and it is hereby granted to Coast Line Truck Service, Inc., a corporation, authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 2-3/4 of the Public Utilities Act, for the transportation of citrus fruits of all kinds between the points in southern California listed in the appendix to this order, on the one hand, and (a) San Francisco, Oakland and San Jose; (b) points intermediate between San Jose and Oakland on State Highway 17; and (c) points intermediate between San Jose and San Francisco on U. S. Highway 101 and 101 Bypass, on the other hand.

(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 of this order, applicant shall file a written acceptance of the certificate herein granted.
- b. Within sixty (60) days after the effective date hereof, applicant shall 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 schedules on not less than five (5) days' notice to the Commission and the public.
- c. Subject to the authority of the 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:

Between Indio and Los Angeles:

U. S. Highway 99, including all highways within five (5) miles laterally on each side thereof.

Between Highland and Los Angeles:

Unnumbered highway to San Bernardino, thence U. S. Highway 66, including all highways within five (5) miles laterally on each side of U. S. Highway 66.

Between Beaumont and Los Angeles:

U. S. Highway 60, including all highways within five (5) miles laterally on each side thereof.

Between Colton and Anaheim:

U. S. Highway 91, including all highways within five (5) miles laterally on each side thereof.

Between El Cajon and Los Angeles:

U. S. Highway 80 to San Diego, thence U. S. Highway 101, including all highways within five (5) miles laterally on each side of said highways.

Between San Diego and Riverside:

U. S. Highway 395, including all highways within five (5) miles laterally on each side thereof.

Between Castaic Junction and Los Angeles:

U. S. Highway 99, including all highways within five (5) miles laterally on each side thereof.

Between Castaic Junction and Ventura:

California Highway 126, including all highways within five (5) miles laterally on each side thereof.

Between Ojai and Ventura:

U. S. Highway 399, including all highways within five (5) miles laterally on each side thereof.

Between Santa Paula and Ojai:

California Highway 150, including all highways within five (5) miles laterally on each side thereof.

Between Los Angeles and Goleta:

U. S. Highways 101 and 101 Alternate, including all highways within five (5) miles laterally on each side thereof.

Between San Jose and Oakland:

California Highway 17.

Between San Francisco and Oakland:

San Francisco-Oakland Bay Bridge.

Between Goleta and San Francisco:

U. S. Highways 101 and 101 Bypass.

Between Salinas and Watsonville:

Salinas-Watsonville Highway and California Highway 1.

Between Watsonville and U. S. Highway 101:
Chittenden Pass Road.

This order shall become effective twenty (20) days after
the date hereof.

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

R. E. Dintaman
Justice F. Chalmer
Don H. Howell
Harold P. Kule

COMMISSIONERS

A P P E N D I X

(List of Points in Southern California covered by
Paragraph (1) of Order)

Alta Loma
Anaheim
Arcadia
Arlington
Azusa
Brea
Bryn Mawr
Canoga Park
Carpinteria
Charter Oak
Chino
Claremont
Colton
Corona
Covina
Crafton
Cucamonga
Duarte
East Highland
El Cajon
El Modena
El Monte
El Toro
Escondido
Etiwanda
Fillmore
Fontana

Frances
Fullerton
Garden Grove
Glendora
Goleta
Hemet
Highgrove
Highland
Indio
Irvine
Irvine Ranch
Kathryn
La Habra
La Mesa
La Mirada
La Verne
Leffingwell
Loma Linda
Los Angeles
Mentone
Mira Loma
Monrovia
Narod
Ojai
Olive
Oxnard
Ontario

Orange
Piru
Placentia
Pomona
Port Hueneme
Puente
Redlands
Reseda
Rialto
Rivera
Riverside
San Bernardino
San Dimas
San Fernando
San Juan Capistrano
Santa Ana
Santa Barbara
Santa Paula
Saticoy
Sierra Madre
Simi
South Fontana
Tustin
Upland
Ventura
Villa Park
Walnut
Whittier