

**ORIGINAL**

Decision No. 44846

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 necessity )  
authorizing transportation of prop- )  
erty as a highway common carrier )  
between Geyserville and Ukiah, )  
California )

Application No. 31342

William Meinhold for applicant  
James E. Dush for Antoni Truck Line,  
protestant

O P I N I O N

Applicant, Pacific Motor Trucking Company, presently conducting operations as a highway common carrier under certificates of public convenience and necessity heretofore issued by this Commission, requests authority to extend its operations between Geyserville and Ukiah via U. S. Highway No. 101.

A public hearing was held on August 10, 1950, in Cloverdale, before Examiner Daly, and the matter submitted.

An appearance was entered by Antoni Truck Line as protestant.

By virtue of Decision No. 28290 dated November 15, 1935, as amended by Decision No. 28369 dated November 18, 1935, and Decision No. 29857 dated June 14, 1937, applicant is providing a highway common carrier service from its base in Petaluma, serving points north thereof, to and including Geyserville. Under the authority granted in Decision No. 31974 dated May 2, 1939, applicant is also conducting a highway common carrier operation between Ukiah and Lucerne and intermediate points, and between Ukiah, Hopland, Upper Lake, Lucerne,

Lakeport, Finley, Kelseyville and intermediate points. Applicant also holds a certificate of public convenience and necessity, which was acquired from the Potter Valley Auto Stage Line by Decision No. 36871 dated February 5, 1944, in Application No. 25981, authorizing operations between Ukiah and Potter Valley and intermediate points.

The proposed service between Geyserville and Ukiah would be limited to that which is auxiliary to, or supplemental of, the rail service of the Northwestern Pacific Railroad Company, a wholly owned subsidiary of the Southern Pacific Company.

According to the testimony of applicant's special representative, the proposed service would enable the Northwestern Pacific Railroad Company to offer to its patrons an improved less-than-car-load service, particularly with respect to the time in transit in handling shipments between the points in the proposed area. This witness further stated that through the utilization of substitute motor truck service, the railroad would be able to realize certain economies in operating costs.

With the exception of the Sacramento traffic, freight is presently handled to Ukiah in steel-wheel box cars on Northwestern Pacific Railroad Company passenger train No. 4. The Sacramento traffic destined for points between Geyserville and Ukiah is handled by regular box service on Northwestern Pacific Railroad Company freight trains.

Under the proposed operation freight of Northwestern Pacific Railroad, moving on billing and at rates of that company providing for store-door service, would be transported from Petaluma on equipment of applicant based at that point. The freight would be transported north as far as Ukiah, serving all intermediate rail points.

San Francisco-Oakland, and San Francisco-Oakland Transfer traffic destined to Ukiah and Ukiah transfer, would continue to be handled by train No. 4, but all shipments destined to points south of Ukiah would be consolidated at Petaluma as well as the Sacramento originated and Sacramento traffic for Ukiah.

The various exhibits introduced in evidence disclose an estimated rail savings per annum of approximately \$6,608, which amount would include an estimated saving in freight car days associated with the handling of less carload traffic amounting to approximately \$2,656. The estimated annual cost anticipated in instituting the proposed truck service is estimated at \$6,936.

Applicant introduced the testimony of many public witnesses who were engaged in businesses located at points covered by the proposed service. The majority of them are customers of the Northwestern Pacific Railroad Company. They testified that the existing service of the railroad was extremely slow and in many cases the time in transit from the Bay Area and Sacramento was from four to five days. They stated that the existing rail service was grossly inadequate, that the proposed service would meet their business needs and requirements, and that they would use the proposed service if authorized.

It was stipulated between counsel that the existing service rendered by the Antoni Truck Line between the San Francisco Bay area and all points north of Healdsburg including many of the points covered by applicant's proposed service is, in every respect, an adequate overnight service. In view of this stipulation, the Antoni Truck Line introduced no evidence in support of its existing service.

In briefly summarizing the matter, it may be said that the existing service of the Northwestern Pacific Railroad Company is presently inadequate with respect to time in transit, and pickup and

delivery service. The existing service of Antoni Truck Line is adequate, and the purpose of the proposed service is primarily to improve the existing railroad service and to realize certain economies in the rail operations.

It has been the practice of the Commission in the past to authorize the use of motor trucks by a railroad or its subsidiary as supplementary or auxiliary to and coordinated with rail service when shown to be in the public interest (In Re Pacific Motor Trucking Company 42 CRC 745). The record clearly shows that the present rail service is slow and inconvenient to its customers. The record is equally clear that the proposed service is in the public interest.

After full consideration of the evidence of record, the Commission is of the opinion and finds that the present rail service provided by the Northwestern Pacific Railroad Company in the territory proposed to be served by applicant is inefficient and unsatisfactory to meet adequate present-day transportation needs of the shipping public; that public convenience and necessity require that said rail service be improved and expedited; that the existing defects in said rail service can be adequately and economically remedied by the use of motor trucks in coordination with the rail freight trains; that public convenience and necessity require the establishment and operation of the proposed service. The application will be granted.

#### O R D E R

An application having been filed, a public hearing having been held therein, the matter having been submitted, the Commission being fully advised in the premises and having found that public convenience and necessity so require;

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity is hereby granted to Pacific Motor Trucking Company authorizing the establishment and operation of an automotive truck service, as a highway common carrier, as said term is defined in Section 2 3/4 of the Public Utilities Act, between Geyserville and Ukiah and intermediate points, including the right to render store-door pickup and delivery service at any and all of said points; subject, however, to the following conditions:

(a) The service to be performed by applicant shall be limited to that which is auxiliary to, or supplemental of the rail service of the Northwestern Pacific Railroad Company.

(b) Applicant shall not render service to or from, nor interchange traffic at, any point not a station on the rail lines of the Northwestern Pacific Railroad Company.

(c) Applicant shall be limited to the transportation of shipments (1) which it receives from or delivers to the Northwestern Pacific Railroad Company; (2) shipments which it transports for express corporations. All of said shipments shall receive, in addition to the movement by applicant, a prior or subsequent movement by rail.

(d) Applicant may render store-door pickup and delivery service at the proposed points within a radius of one mile from the Northwestern Pacific Railroad Company stations, with the exception of Cloverdale and Ukiah. The pickup and delivery limits for Cloverdale will be the corporate city limits of Cloverdale. The pickup and delivery limits for Ukiah

will be as shown in Cal. P.U.C. No. 130.

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

(a) 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.

(b) 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 Orders Nos. 79, 80 and 93-A, by filing, in triplicate, and concurrently making effective, appropriate tariffs and time schedules.

(c) Subject to the authority of this Commission to change or modify it by further order, applicant shall conduct operations over the following route:

Commencing at Geyserville, thence over U. S. Highway No. 101 to Ukiah.

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

Dated at San Francisco, California, this 26th day of September, 1950.

Justin J. Gallivan  
August J. Faguel  
Harold A. Kula  
Herbert H. Potter  
 Commissioners