

ORIGINAL

Decision No. 45427

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 PUBLIC FREIGHT SYSTEM for authority )  
 to establish through rates with other ) Application No. 32408  
 common carriers operating between )  
 Los Angeles Territory and points )  
 North thereof. )

Glanz and Russell, attorneys at law, by Theodore W. Russell for applicants. Gordon, Knapp and Gill, attorneys at law, by Hugh Gordon for Pacific Freight Lines, Pacific Freight Lines Express, Santa Fe Transportation Company and The Atchison, Topeka and Santa Fe Railway Company, Edward L. Bissinger, attorney at law, for Pacific Motor Trucking Company, interested parties and H. G. Bischoff, attorney at law and John B. Robinson for Southern California Freight Lines and Southern California Freight Forwarders, interested parties in support of the application.

O P I N I O N

Public Freight System, a corporation, now has authority from this Commission to transport, as a highway common carrier, general commodities, with exceptions, between metropolitan Los Angeles, on the one hand, and El Monte, Pomona, Ontario and Fontana, on the other hand, subject to the condition that the property transported shall have a prior or subsequent movement by a highway common carrier to or from some point north of Los Angeles<sup>1/</sup>.

Associated Freight Lines, Charles P. Hart doing business as Charles P. Hart Transportation Company, Hills Transportation Company, Lillie Transportation Company, Inc., Western Truck Lines,

<sup>1/</sup> Decision No. 45247, dated January 9, 1951, on Application No. 29726.

Ltd., A. D. Woolley and R. E. Woolley doing business as Western Transport Company and Sterling Transit Company, Inc., have authority from this Commission to transport, as highway common carriers, general commodities, with exceptions, between the Los Angeles territory, on the one hand, and various points in California, including San Francisco and Sacramento, on the other hand<sup>2/</sup>.

Desert Express, a corporation, has authority from this Commission to transport, as a highway common carrier, general commodities with exceptions, between Los Angeles, on the one hand, and points north and east of Los Angeles, including Tehachapi, Bakersfield, Barstow and Victorville, on the other hand<sup>3/</sup>.

O. J. Boedeker and A. T. Rawlins, doing business as Sacramento Freight Lines, have authority from this Commission to transport, as a highway common carrier, general commodities, with exceptions and weight limitations, between Los Angeles, on the one hand, and Sacramento and various intermediate points, on the other hand<sup>4/</sup>.

Coast Line Truck Service, Inc., has authority from this Commission to transport, as a highway common carrier, property between Los Angeles, on the one hand, and points in

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<sup>2/</sup> Decision No. 43003, dated June 14, 1949.

<sup>3/</sup> Decision No. 41149, dated January 19, 1948, on Application No. 28951 and Decision No. 45915, dated July 3, 1951, on Application No. 32053.

<sup>4/</sup> Decision No. 42352, dated December 21, 1948, on Application No. 28326, and Decision No. 45259, dated January 16, 1951, on Application No. 30533.

Monterey and Santa Cruz Counties, on the other hand<sup>5/</sup>.

The application herein requests that the Commission authorize Public Freight System to establish joint through rates with the other highway common carriers named above between El Monte, Pomona, Ontario and Fontana, the points served by Public Freight System, and points north of Los Angeles served by the other carriers.

Hearings were held in Los Angeles, evidence was presented and the matter was argued and submitted. It is now ready for decision.

The evidence shows that, if the requested authority is granted, traffic will be interchanged at Los Angeles, a common terminus for all parties. The tariff rates of all parties are on a comparable level and Public Freight System will become a party to each of the various tariffs, which will be extended to cover the points served by Public Freight System.

Exhibit No. 1 in evidence is a schedule showing by way of example, comparisons of local rates with mileage rates between selected points. This schedule shows that, with the exceptions of the 10,000 pounds and 20,000 pounds brackets between San Francisco and El Monte and the 20,000 pounds and over bracket between San Francisco and Fontana, the mileage rates are lower than the combinations of local rates which must presently be collected by the carriers joining in the application herein. Applicants will use the lowest rate in any weight bracket whether this result is achieved by mileage rates or combination of local rates.

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<sup>5/</sup> Decision No. 42351, dated December 21, 1948, on Application No. 27082.

The eleven applicants named in this decision signed and verified the amended application. Eight of them, including the Public Freight System, appeared at the hearings. The witness for the Public Freight System stated that that company is tendered shipments from points in its territory east of Los Angeles destined to points north of Los Angeles and that shipments originating north of Los Angeles and destined to points it serves are tendered to it for carriage. The witnesses representing carriers operating between Los Angeles and points north thereof testified that those carriers are requested to transport shipments originating in the territory served by Public Freight System or destined to that territory and originating in or destined to points north of Los Angeles. Shippers desiring to use the services of the carriers named in the application between points east of Los Angeles and points north of Los Angeles must now pay a combination of local rates.

It was stipulated that if seven named shippers were called as witnesses they would testify that they respectively ship between either Pomona, El Monte, Fontana or Ontario, on the one hand, and places north of Los Angeles, on the other hand; that each desires to make use of Public Freight System's services in connection with the services of other carriers, with interchange at Los Angeles; and that they each desire and require a through rate as distinguished from a combination of local rates in connection with such service in order to compete with other shippers using carriers providing through services.

No evidence was presented on behalf of the interested parties, but it was stipulated (1) that Pacific Freight Lines operates a daily overnight service between Los Angeles and the

territory now served by the applicant Public Freight System, and Los Angeles and all points north of Los Angeles within the scope of Pacific Freight Lines' certificates; (2) that Santa Fe Transportation Company renders a daily overnight service between the points now served by applicant Public Freight System, except El Monte, and Los Angeles, and an overnight service between Los Angeles and points north of Los Angeles covered by the Santa Fe Transportation Company's certificates.

It was further stipulated that Pacific Freight Lines and Santa Fe Transportation Company respectively now serve at a through rate substantially on a parity with the through rates proposed by the applicants.

The record shows that the lack of joint through rates by the applicant carriers has prevented them from serving shippers who prefer to ship via the applicants, at rates comparable to those of existing carriers performing a through service, and that the shippers who use, or desire to use, the services of the applicant carriers from places east of Los Angeles to points north of Los Angeles must pay higher charges for such service than the charges assessed by the highway common carriers rendering a through service.

Upon the evidence of record herein the Commission is of the opinion and finds that the authority sought is not adverse to the public interest and, therefore, the request will be granted.

O R D E R

Application having been filed, hearings held, evidence presented, the matter submitted, and the Commission having found that the authority sought is not adverse to the public interest,

IT IS HEREBY ORDERED that applicants, Public Freight System, Associated Freight Lines, Coast Line Truck Service, Inc.,

Desert Express, Charles P. Hart, doing business as Charles P. Hart Transportation Co., O. J. Boedeker and A. T. Rawlins, doing business as Sacramento Freight Lines, Sterling Transit Company, Inc., A. D. Woolley and R. E. Woolley, doing business as Western Transport Company, Western Truck Lines, Ltd., Lillie Transportation Co., Inc. and Hills Transportation Co. be, and they are hereby authorized, within sixty (60) days after the effective date of this order and on not less than ten (10) days' notice to the Commission and the public, to establish joint through highway common carrier rates, as requested, and that tariff filings made pursuant to this order shall in all respects comply with the provisions of General Order No. 80.

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

Dated at San Francisco, California, this 20<sup>th</sup> day of November 1951.

R. D. [Signature]  
President  
James F. [Signature]  
Harold P. [Signature]  
Robert [Signature]  
John E. [Signature]  
Commissioners