

ORIGINAL

Decision No. 45431

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC FREIGHT LINES	)	
for a certificate of public convenience.	)	
and necessity to operate as a highway	)	Application No. 32142
common carrier between various points in	)	
California, Santa Barbara to San Francisco	)	
and Oakland.	)	

Gordon, Knapp and Gill, by Joseph C. Gill, for applicant.  
William Meinhold and E. H. L. Bissinger, for Southern Pacific  
Company and Pacific Motor Trucking Company, interested  
parties.

J. J. Deuel and Edson Abel, for California Farm Bureau  
Federation, interested party.

Glanz and Russell, by Theodore W. Russell and Arthur Glanz, for  
George C. Smith, interested party.

H. J. Bischoff, for Southern California Freight Lines,  
interested party.

O P I N I O N

Pacific Freight Lines requests the issuance of a certifi-  
cate of public convenience and necessity authorizing it to establish  
a highway common carrier service for the transportation of general  
commodities, except uncrated household goods and other commodities  
for which the Commission has proscribed minimum rates in Appendix  
"A", Decision No. 32325, City Carriers' Tariff No. 3, Highway  
Carriers' Tariff No. 4, between:

(a) the San Francisco territory (as more particularly  
described in the application), on the one hand, and, on the other  
hand, points and places located on and along U. S. Highway 101 from  
Salinas (but excluding said point) to and including San Luis Obispo  
and points and places located within five miles laterally of U. S.  
Highway 101;

(b) all points and places on and along the following described highways:

- I. U. S. Highway 101 between Santa Barbara and San Luis Obispo.
- II. California State Highway 1 between its junction with U. S. Highway 101 near Gaviota and its junction with U. S. Highway 101 near Santa Maria.
- III. California State Highway 150 between its junction with U. S. Highway 101 at Buellton and its junction with California State Highway 1 north of Lompoc.
- IV. Unnumbered county highway between its junction with U. S. Highway 101 at Los Alamos and its junction with California State Highway 1 south of Orcutt.
- V. All points and places located within five miles laterally of the highways named in paragraphs I to IV, inclusive;

and (c) between all points and places located on and along applicant's existing certificated routes, on the one hand, and all points and places set forth in paragraphs (a) and (b) above, on the other hand.

Public hearings were held at Los Angeles, San Francisco, King City and San Luis Obispo, before Examiner Silverhart. There were no protests to the granting of the application.

Applicant conducts its highway common carrier activities within the State of California, generally, from Sacramento and the San Francisco Bay area to the Los Angeles territory, San Diego and El Centro, over U. S. Highways Nos. 101, 99 and 80.

Applicant's general manager testified that it serves a large number of shippers regularly; that it renders a daily pickup service; that shippers in other areas served by applicant daily offer it freight destined to the points here involved; that line-haul schedules operate daily to San Luis Obispo, Santa Maria and Santa Barbara; that its San Luis Obispo terminal serves the area

from the Santa Maria River to the northern city limits of San Luis Obispo, the Santa Maria terminal serves the Zaca and Lompoc area, and the Santa Barbara terminal serves the Carpinteria and Buellton areas; that freight will be transported from San Luis Obispo at 8:00 a.m. and delivery thereof effected at Salinas before noon of the same morning. The record shows that applicant possesses the terminals, equipment, personnel and financial resources to inaugurate and maintain the proposed service.

Representatives of business concerns located in Fullerton, Vernon, San Gabriel, Los Angeles, Azusa, Ontario, Pomona, Santa Ana, Long Beach, Oxnard, Rosemead, San Francisco and Oakland, making shipments to the points herein comprehended, testified in support of the application. Their testimony manifested that most of them considered an overnight service with prenoon delivery essential in the conduct of their businesses; that shipments of various commodities, ranging from one pound to truckloads are transported, often daily; that applicant furnishes them with a regular pickup service and they have used and presently utilize applicant's services to the points it serves; that they need and will use the proposed service if authorized. According to these witnesses, a single-line service is essential to effect a reduction of time in transit and of handling and damage attendant upon interchange of shipments.

Montgomery Ward and Company, at Oakland, which ships to all points in California including all the places that applicant here seeks authority to serve, indicated, through its traffic manager, that the proposed service would enable it to reduce transportation time by one day and make it possible to compete with Los Angeles dealers and Sears Roebuck and Company. It was also indicated the proposed service to lateral points was desirable in that it

would permit deliveries directly to ranchers.

Consignee witnesses from Gonzales, Soledad, Greenfield and King City indicated that service from Los Angeles and San Francisco was unsatisfactory; that a dependable overnight service with a late pickup the preceding afternoon at such points was desired; that the proposed service is wanted and they will use it if authorized.

Receivers of shipments at San Luis Obispo and Arroyo Grande stated they were not receiving overnight service with next morning delivery from the San Francisco Bay area; that there is a definite need for a service affording late afternoon pickup at San Francisco Bay points with next morning delivery, as proposed by applicant and which they will use if authorized.

A broker dealing in grain and beans, and whose place of business is located in Santa Maria and who makes shipments to San Francisco and Oakland and receives shipments from Paso Robles and the San Luis Obispo and Santa Maria areas, stated that he required a service which would render pickups in the fields, many of which are within five miles of U. S. Highway 101.

Witnesses from Santa Barbara who make daily shipments to such points as Lompoc, Santa Maria, Arroyo Grande, Pismo Beach, San Luis Obispo, Atascadero, Paso Robles, Camp Roberts and King City, testified that speed in transit is important to their customers; that a single-line service would be convenient; that they desire and will use the proposed service.

Exhibit No. 20, a Commission staff report, dated May 24, 1951, treats of the transportation of general commodity freight between the Santa Barbara-Ventura area and the Santa Maria Valley and Watsonville-Salinas area, and indicates that the estimated annual tonnage hauled between such areas by commercial motor

vehicles over U. S. Highway 101 is as follows:

<u>Class of Carrier</u>	<u>Tonnage</u>	<u>Per Cent</u>
Certificated	-	-
Permitted	3,578	80.6
Proprietary	863	19.4

and demonstrates that the points within such areas and falling within the scope of the application can accommodate highway common carrier service.

The evidence herein readily manifests a need by many shippers and consignees for the type of service proposed by applicant.

After examination and consideration of this entire record, we are of the opinion, and so find, that public convenience and necessity require that the application be granted.

#### O R D E R

Public hearings having been had and based upon the evidence therein adduced,

#### IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Pacific Freight Lines, authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of property between:

(a) the San Francisco territory (more particularly described in Appendix "A" attached hereto and made part hereof), on the one hand, and points and places located on and along and laterally within five miles of U. S. Highway 101 from Salinas (excluding, however, said point) to and including San Luis Obispo;

(b) all points and places on and along the following described highways:

- I. U. S. Highway 101 between Santa Barbara and San Luis Obispo.
- II. California State Highway 1 between its junction with U. S. Highway 101 near Gaviota and its junction with U. S. Highway 101 near Santa Maria.
- III. California State Highway 150 between its junction with U. S. Highway 101 at Buellton and its junction with California State Highway 1 north of Lompoc.
- IV. Unnumbered county highway between its junction with U. S. Highway 101 at Los Alamos and its junction with California State Highway 1 south of Orcutt.
- V. All points and places located within five miles laterally of the highways named in paragraphs I to IV, inclusive;

and as an extension and enlargement of, and to be consolidated with, the operative rights heretofore granted it by this Commission.

(2) That the certificate herein granted is subject to the following limitation:

(a) Applicant shall not transport 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.

(3) 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 upon 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, tariffs and time schedules satisfactory to the Commission.
- (c) Subject to the authority of this Commission to change or modify them by further order, applicant

APPENDIX "A"

"Beginning at the point the San Francisco-San Mateo County Boundary lines meets the Pacific Ocean; thence easterly along said boundary line to a point one mile west of U. S. Highway No. 101; southerly along an imaginary line one mile west of and paralleling U. S. Highway 101 to its intersection with the corporate boundaries of the City of San Jose; southerly, easterly and northerly along said corporate boundary to its intersection with State Highway No. 17; northerly along State Highway No. 17 to Warm Springs, northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbor Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U. S. Highway No. 40 (San Pablo Avenue); northerly along U. S. Highway No. 40 to and including the City of Richmond; southwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said water front and shore line to the Pacific Ocean; southerly along the shore line to the Pacific Ocean to point of beginning."

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shall conduct operations pursuant to the certificate herein granted over and along the routes hereinabove set forth in paragraph (1).

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. J. [unclear]*  
*Justin J. [unclear]*  
*Harold [unclear]*  
*Wm. [unclear]*  
*John E. [unclear]*  
COMMISSIONERS