

ORIGINAL

Decision No. 46691

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of PACIFIC MOTOR TRUCKING COMPANY)
for a certificate of public con-)
venience and necessity for the)
transportation of property as a)
highway common carrier over public)
highways serving the points of)
Burness and Fairview as an exten-)
sion and enlargement of existing)
highway common carrier service)

Application No. 32875

O P I N I O N

Pacific Motor Trucking Company herein seeks authority to serve Burness and Fairview as an extension and enlargement of its existing highway common carrier service.

The application alleges that Burness and Fairview are rail points on the line of the Fresno Interurban Branch of Southern Pacific Company, applicant's parent company; that there is no contract drayman available at those points, and freight must be picked up by consignees or delivered by consignors at Fresno; that the rail line mentioned is operated jointly with The Atchison, Topeka & Santa Fe Railway Company, which provides pickup and delivery service at such points, and applicant must render a similar service to be competitive; that the proposed points are adjacent to applicant's existing truck routes between Fresno and Sanger, and only nominal expense would be incurred in providing this service.

Applicant proposes to transport general commodities except uncrated household goods and other commodities for which the Commission has prescribed minimum rates in City Carriers' Tariff No. 3 - Highway Carriers' Tariff No. 4, when there is a prior or subsequent rail movement over the line of Southern Pacific Company.

The proposed service would be in substitution for service of Southern Pacific Company under rates as set forth in the tariffs of that company.

The Atchison, Topeka & Santa Fe Railway Company and Santa Fe Transportation Company have indicated to the Commission in writing that they waive protest to the rights sought herein.

Under the circumstances alleged, we find that public convenience and necessity require that this application be granted. A public hearing is not necessary.

O R D E R

Application having been filed, and the Commission 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 Pacific Motor Trucking Company 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 general commodities, to and from Burness and Fairview as an extension and enlargement of its presently authorized service in the San Joaquin Valley, subject to the following restrictions:

(a) The service performed hereunder shall be limited to that which may be auxiliary to or supplemental of the rail service of the Southern Pacific Company, and to the transportation of such freight as it receives from or delivers to Southern Pacific Company.

(b) Applicant shall not transport the following uncrated property:

1. Used household goods, viz: household or personal effects such as furniture, furnishings, clothing, radios, musical instruments, stoves and refrigerators.

2. Used office and store fixtures and equipment, viz: furniture, furnishings, and equipment such as is used in an office, store, hospital, library, museum, place of learning, or other institution.

(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 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 shall conduct operations pursuant to the certificate herein granted over and along the most appropriate routes to and from the points herein authorized to be served.

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

Dated at Los Angeles, California, this 29th day of January, 1952.

A. J. Davidson
President

Justus F. Casassa

Harold A. Kula

Samuel D. Totten

John E. McMillan
Commissioners