

Decision No. 46719**ORIGINAL**

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 convenience and)
 necessity authorizing transportation) Application No. 32960
 of property as a highway common car-)
 rier between San Jose and Paicines)
 and intermediate points, in lieu of)
 existing certificates.)

O P I N I O N

Applicant, Pacific Motor Trucking Company, seeks removal of certain restrictions on its present operations as a highway common carrier between San Jose and Paicines and certain intermediate points.

By virtue of its present authority, applicant's operations between San Jose and Tres Pinos are restricted to those which are auxiliary to and supplemental of rail service. The intermediate points which it may serve are limited to rail stations, and shipments having either origin or destination at San Francisco, Oakland, Berkeley, Alameda and Emeryville must receive, in addition to the movement by applicant, a prior or subsequent movement by railroad.

In justification for the authority sought, applicant alleges that the territory has experienced substantial growth during the past several years and is continuing to develop, and that due to the above-described restrictions it has been unable to meet many requests for service.

Security Truck Line and Highway Transport, Inc., the two carriers with which applicant's proposed operations are likely to compete, have informed the Commission in writing that they would have no protest to the instant application.

After full consideration of the facts, the Commission is of the opinion and so finds that public convenience and necessity require the granting of the authority sought. A new certificate will be granted in the place and stead of those now possessed by applicant affecting the points involved. A public hearing does not appear necessary.

O R D E R

An application having been filed, the Commission being fully informed in the premises and it having been found that public convenience and necessity so require,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is hereby granted to Pacific Motor Trucking Company authorizing the establishment and operation of service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of general commodities, except 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, between San Jose and Paicines and intermediate points, as an extension and for enlargement of, and to be consolidated with its existing rights.

2. That, in providing service pursuant to the authority herein granted, applicant shall comply with and observe the following service regulations:

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days after the effective date hereof.
- (b) Within sixty (60) days after the effective date hereof, and on not less than five (5) days' notice to the Commission and the public, applicant shall establish the service herein

authorized and shall file in triplicate, and concurrently make effective, appropriate tariffs and time schedules.

(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 following routes:

- (1) From San Jose over U. S. Highway No. 101 and unnumbered county road to San Juan Bautista.
- (2) From San Juan Bautista to Hollister over California State Highway No. 156.
- (3) From Junction U. S. Highway No. 101 and California State Highway No. 25 over California State Highway No. 25 to Paicines.
- (4) From Gilroy over California State Highway No. 152 to San Felipe.
- (5) From San Felipe over unnumbered highway to Junction California State Highway No. 25 approximately one mile north of Hollister.
- (6) From Dunneville Corners over unnumbered county road to Junction California State Highway No. 25.

3. That the operative rights granted in the following decisions are hereby revoked, canceled and annulled.

<u>Decision No.</u>	<u>Date</u>	<u>Application No.</u>
33819	1/21/41	20685
34347	6/24/41	20685
35499	6/16/42	20685
41461	4/13/48	20685 1st Sup.
42588	3/8/49	20685 1st Sup.
43506	11/7/49	30595

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

Dated at San Francisco, California, this 5th day of February, 1952.

R. J. [Signature]
President

Justice F. [Signature]
Harold A. [Signature]

[Signature]
[Signature]
Commissioners