

ORIGINAL

Decision No. 48005

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
O. J. BOEDEKER and A. T. RAWLINS,)
copartners doing business as)
SACRAMENTO FREIGHT LINES, for)
authority to extend an operation as))
a highway common carrier between)
Nimbus and Sacramento, California,)
on the one hand, and points in)
Los Angeles Territory and Azusa,)
California, on the other hand.)

Application No. 33767

Edward M. Berol, for applicant;
William Meinhold, for Southern
Pacific Co. and Richard K. Knowlton,
for The Atchison, Topeka & Santa Fe
Railway Co. and Santa Fe Transportation
Co., interested parties.

O P I N I O N

Sacramento Freight Lines, a copartnership (hereinafter termed "applicant"), seeks a certificate of public convenience and necessity pursuant to Section 1063, Public Utilities Code of California, authorizing additional service as a highway common carrier to transport dangerous explosives, non-dangerous explosives, ammunition and component parts of ammunition and explosives, between Sacramento and Nimbus (located approximately 17 miles east of Sacramento on U. S. Highway 50), on the one hand, and Los Angeles Territory and Azusa, on the other hand.

The application was submitted at a public hearing held November 13, 1952 at Sacramento before Examiner Gregory. Southern Pacific Company, the Santa Fe Railway and Santa Fe Transportation Company appeared as interested parties but offered no testimony. They voiced no objection to the issuance of a certificate commensurate with the showing made by applicant, but urged that the

Commission impose a restriction upon the certificate to prevent linking of applicant's common carrier authority between Sacramento and the Sierra Ordnance Depot at Herlong, which does not forbid transportation of explosives, with any right to be granted herein. Applicant's present certificated general commodity authority between Sacramento and Los Angeles excludes transportation of explosives or dangerous substances. (Dec. 42352, App. 28326.)

Applicant, since July 1952, under its radial highway common carrier permit has been transporting explosives and various items used in commercial and military aviation for the Aerojet Engineering Corporation, which has plants at Azusa and Nimbus. The Nimbus plant, now under construction but in partial operation, is expected to be completed within a year. The Azusa plant was established in 1942. In addition to shipments between the two plants, the company expects to ship its products from Nimbus to commercial airlines in the Los Angeles Territory and to receive at Nimbus supplies from that territory and certain items used in manufacturing its products, which will be furnished by a supplier at Saugus. There is no direct highway common carrier service at present between Nimbus and Azusa. The company's traffic manager at Nimbus supported the application.

Applicant proposes to render pickup service at Nimbus and Azusa on an on-call basis and to handle the traffic on its regularly scheduled daily operations between Sacramento and Los Angeles. Rates will be generally at the level of those established as minimum by Highway Carriers' Tariff No. 2, or by other Commission tariffs applicable to the type of traffic proposed to be transported. Applicant has the requisite resources, facilities and experience, including specialized experience in handling

shipments of explosives, with which to perform the requested service. The service will not be confined to shipments for the Aerojet Engineering Corporation, but will be made available to the general public in territory served by applicant.

The Southern Pacific Company, which has handled rail carload shipments for Aerojet and expects to continue to do so, conceded that it is not in a position to render the type of service proposed by applicant. The Santa Fe Railway and Santa Fe Transportation Company do not serve Nimbus although they do serve Azusa.

The restriction requested by the interested parties against linking up applicant's present authority to serve the Sierra Ordnance Depot with that which may be granted herein does not appear to be in the public interest. Although a substantial amount, if not all, of the ordnance supplies transported by applicant from Herlong appear to move on government bills of lading under applicant's authority as a permitted carrier, there was no showing either that applicant proposed to link its existing common carrier authority with that to be granted here, which it could do under the law in the absence of a restriction, or that such linking would have an undue adverse effect upon the operations of either the Southern Pacific or the Santa Fe. Their request for such a restriction will be denied.

The application will be granted.

O R D E R

Public hearing having been held in the instant proceeding, evidence having been received and considered, the matter having been submitted for decision, the Commission now being fully advised and hereby finding that public convenience and necessity so require,

IT IS ORDERED:

1. That O. J. Boedeker and A. T. Rawlins, copartners doing business as Sacramento Freight Lines, be and they hereby are granted a certificate of public convenience and necessity authorizing the establishment and operation of service as a "highway common carrier", as that term is defined in Section 213, Public Utilities Code of California, for the transportation of dangerous explosives, non-dangerous explosives, ammunition and component parts of ammunition, between Sacramento and Nimbus, on the one hand, and points and places in the Los Angeles Territory, as described in Highway Carriers' Tariff No. 2, and Azusa, on the other hand, as an extension and enlargement of applicant's existing authority.

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 on not less than five (5) days' notice to the Commission and the public, applicant shall establish the service herein described and authorized and file in triplicate, and concurrently make effective, appropriate tariffs and timetables commensurate with the authority herein granted.

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

Dated at South Pasadena, California, this 2nd day of December, 1952.

R. F. [Signature]
President
James J. [Signature]
Harold P. [Signature]
[Signature]
[Signature]
Commissioners