

ORIGINAL

Decision No. 43220

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of PUBLIC FREIGHT SYSTEM, a California corporation, for:
 (a) Certificate to operate as a highway common carrier of commodities generally between the Los Angeles territory as defined in existing certificates of applicant on the one hand and Fontana, California, on the other hand, serving intermediate and off route points, and (b) for removal of restriction against the transportation of local traffic in connection with presently authorized service.

Application No. 32187

OPINION AND ORDER MODIFYING DECISION
 AND DENYING REHEARING

Pacific Freight Lines, Pacific Freight Lines Express, The Atchison, Topeka and Santa Fe Railway Company, Santa Fe Transportation Company, Southern Pacific Company, Pacific Electric Railway Company, Pacific Motor Trucking Company, Southern California Freight Lines and Southern California Freight Forwarders have filed their joint petition for rehearing respecting Decision No. 48042 rendered in the above-entitled proceeding on December 9, 1952. The Commission has given consideration to said petition and is of the opinion that the same is without merit except as to the contention made by petitioners in Item No. 5 of said petition for rehearing.

Petitioners contend that the following language appearing in the opinion of said Decision No. 48042 is erroneous and does not find support in the evidence:

"* * * Southern California Freight Lines has the right to serve as a highway common carrier be-

tween the Los Angeles metropolitan area and Sierra Madre only in the proposed service area. It can, therefore, be considered as a competing highway common carrier to a limited extent only."

Upon further consideration of the matter, we are of the opinion and hold that the foregoing quoted language was not necessary to the decision herein and, therefore, it will be stricken therefrom. By so doing, we are neither affirming nor impeaching the integrity of said language. We merely hold that the same was not necessary to the said decision. Said language is hereby stricken from said decision.

With said decision so modified, IT IS ORDERED that the petition for rehearing herein be and the same is hereby denied.

Dated, San Francisco, California, this 24th day of January, 1953.

R. J. Anderson
President
Justice J. Casner
Harold P. Kula
Renneth J. Patten
John E. Mitchell
Commissioners