

ORIGINAL

Decision No. 48350

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN CALIFORNIA FREIGHT LINES,)
a corporation, for a certificate of)
public convenience and necessity to)
transport property by auto truck as)
a highway common carrier.)

Application No. 32246

APPEARANCES

J. Richard Townsend for applicant.

E. L. H. Bissinger, John Gordon, Walter A. Steiger
and Frederick E. Furrman for Southern Pacific Company,
Pacific Motor Trucking Company and Pacific Electric
Railway Company, protestants.

Robert W. Walker, Mathew H. Witteman and Henry M.
Moffat for The Atchison, Topeka and Santa Fe Railway Co.
and Santa Fe Transportation Company, protestants.

Gordon, Knapp and Gill, by Joseph Gill, and Douglas
Brookman for Pacific Freight Lines, Pacific Freight Lines
Express, Bekins Van Lines, James Van Lines, and Lyon Van
Lines, Inc., protestants.

Douglas Brookman for Merchant's Express Corporation,
California Motor Express, Ltd., California Motor Transport
Co., Ltd., protestants.

Edward M. Berol, Bertram S. Silver and Marvin Handler
for Sacramento Freight Lines, Fortler Transportation
Company, Highway Transport, Inc., Highway Transport
Express, Canton Transbay Express, Inc., Oregon-Nevada-
California Fast Freight, Inc., E. Guy Warren, dba Warren
Transportation Company, Winans Brothers, Associated Trans-
portation Co., James P. Nielsen, dba Nielsen Truck Lines,
Don Hawkey, Miles and Sons, Stockton Motor Express and
Lodi Truck Service, protestants.

Edward M. Berol, Bertram S. Silver, Marvin Handler
and Orville A. Schulenberg, for Kings County Truck Lines,
protestants.

Orville A. Schulenberg, for Moser's Frozen Food Freight
Line, protestant.

Willard S. Johnson for J. A. Nevis, dba J. A. Nevis
Trucking, Inc., Theodore Peters, dba Ted Peters Trucking Co.,
J. Christenson Co., protestants.

J. Nelson Kagarise and R. E. Shackelford, for Public Freight System, protestant.

Richard G. Reed and Lloyd R. Guerra for Western Truck Lines, Ltd., interested party.

George C. Smith for Smith Transportation Co., interested party.

OPINION ON PARTIAL SUBMISSION

Applicant is a highway common carrier serving between various places in California south and east of San Fernando and including service between the Los Angeles and San Francisco territories pursuant to authority from this Commission. By the application herein it seeks authority to consolidate its present highway common carrier operating rights, and to extend its services to enable it to serve via routes generally covering the State of California except that portion north of San Fernando and east of U. S. Highway 99.

Service is to be provided via 21 routes, described in the application, and between all points on routes to be used and all points within five miles laterally (on both sides) of such routes, including points within a radius of five miles of all termini named in the application, provided that no service shall be rendered between any two points included in or between the areas embraced in the San Francisco and Oakland pickup and delivery zones as defined in Items 260-7-E and 260-5.5-B, respectively, of Highway Carriers' Tariff No. 2 of the Public Utilities Commission of the State of California.

In addition, applicant proposes to traverse but not serve four lateral routes, generally lying between U. S. Highways 99 and 101 north of San Fernando.

Authority is sought to transport commodities of all kinds between all points on 12 of the routes described in the application, which routes are south and east of San Fernando (generally covered by applicant's existing rights), and commodities of all kinds excepting used household goods, petroleum in bulk, animals or pets, money or valuable papers, precious metals or stones or articles manufactured therefrom, jewelry or articles of extraordinary value, when transported in shipments under 500 pounds in weight, between all points on the routes north of San Fernando (the new territory involved).

In addition, applicant seeks authority to transport commodities of all kinds excepting used household goods, petroleum in bulk, animals or pets, money or valuable papers, precious metals or stones or articles manufactured therefrom, jewelry, or other articles of extraordinary value, between all points more than five miles but not over ten miles of all highways and routes sought to be served, restricted to shipments weighing not less than 2,000 pounds but including any shipments which shall carry a charge applicable to shipments of not less than 2,000 pounds.

The rates applicant proposes to charge will be the minimum rates prescribed by the Commission on commodities with respect to which the Commission has set minimum rates. With respect to commodities on which the Commission has not set minimum rates, the applicant proposes to determine the class rating of the commodity in question from the regular freight classification and exception sheets, and to apply the minimum rate prescribed by the Commission for such class for the mileage involved.

The application was filed on March 30, 1951, and amendments were filed on June 22, 1951, July 5, 1951, and January 14, 1952.

A prehearing conference was held in Los Angeles on May 28, 1951, followed by hearings in Los Angeles on July 17, 18, 19, 20, 26 and 27, September 11, 12, 13 and 14, November 29 and 30, 1951, and January 15 and 16 and May 13, 14, 15 and 16, 1952; in Oxnard on September 25 and 26, 1951; in Santa Barbara on September 27 and 28, 1951; in Pomona on October 8 and 9, 1951; in San Bernardino on October 10 and 11, 1951; in Santa Ana on November 6 and 7, 1951; in San Diego on November 8 and 9, 1951; in El Centro on November 27 and 28, 1951; in Santa Maria on December 11 and 12, 1951; and in Bakersfield on December 13 and 14, 1951. Following the hearing held in Los Angeles on May 16, 1952, briefs were filed on September 2, 1952, at which time the matter was submitted insofar as it concerned applicant's present and proposed services south of the northern boundaries of Santa Barbara County (approximately Santa Maria) and Kern County (approximately Delano), and including service between points south of the northern boundaries of Kern and Santa Barbara Counties and the San Francisco Territory now served by applicant. Additional hearings are being and will be held on the subject application insofar as present and proposed services north of the northern boundaries of Kern and Santa Barbara Counties are concerned.

Applicant's present rights, including transfers, are set out in approximately 120 decisions of this Commission. ⁽¹⁾ Generally speaking, they authorize service between named points in California south and east of San Fernando, and between that portion of the State, on the one hand, and the San Francisco Territory, on the other. The portion of the application herein being considered involves the request for an in lieu certificate as to all rights now possessed by applicant and the request by applicant for new rights,

(1) See Appendix A to this decision.

e.g., the right to render service between any two points on the routes it now serves and receives authority to serve by this decision; the right to extend its services into Santa Barbara, Kern and Ventura Counties; and the right to serve off-highway points from the highways served and proposed to be served.

Applicant's existing claimed authority is delineated on map, Exhibit 1. In general, it serves the territory in the Los Angeles metropolitan area, between that area and the San Diego Territory via U. S. Highways 101 or 101 Alternate, between the San Diego Territory and the Imperial and Coachella Valleys, between Los Angeles and the Coachella and Imperial Valleys via U. S. Highways 66, 70 and 99, and between San Bernardino and San Diego via U. S. Highway 395. Along these general routes it serves intermediate points with the exception of points on U. S. Highway 101 between San Juan Capistrano and San Clemente, points on U. S. Highway 101 Alternate between Long Beach and Newport Beach, and points on U. S. Highway 66 between Rialto and Monrovia. Under the existing rights, applicant allegedly provides service to the major portion of Los Angeles, Imperial, Orange, Riverside, San Bernardino and San Diego Counties, containing approximately 50 per cent of the total population of California,⁽²⁾ as well as San Francisco, Alameda and Santa Clara Counties.

Southern California Freight Lines was incorporated in 1920 under the name of Coast Truck Lines. In 1930, or thereabout, the name was changed to Southern California Freight Lines. Since the formation of the company it has expanded in a large measure through the purchase of existing carriers.

Southern California Freight Lines, Ltd., a California corporation, is the holding corporation. This company owns the

(2) Exhibit No. 2.

stock of Southern California Freight Lines and Southern California Freight Forwarders, both California corporations. Southern California Freight Forwarders, in turn, owns the stock of California Terminal Company, a Nevada corporation. Southern California Freight Lines, Ltd., also owns the stock of Direct Delivery System, Ltd., a California corporation, United Truck Service, a California corporation, International Express, a California corporation, and People's Transfer, Inc., a Nevada corporation.

In the area now served applicant has 14 full-time depots, and 9 agency stations. ⁽³⁾ It proposes to establish 6 additional terminals, owned or leased as circumstances dictate, and 5 additional agencies. ⁽⁴⁾ Present and proposed schedules ⁽⁵⁾ and the present ⁽⁶⁾ and proposed terminal facilities were described by witnesses. At the time of the hearing on July 19, 1951, applicant had 719 pieces of operating equipment, including 206 pickup trucks, 39 diesel line tractors, 91 gas tractors and 269 semitrailers ranging in size from 16 feet to 35 feet. This equipment is of all types, open and van, including twenty-two 21-foot long insulated vans, 4 mechanically refrigerated 21-foot long vans, and nine 35-foot long insulated vans. ⁽⁷⁾ In addition, a large amount of leased equipment is available. ⁽⁸⁾

The proposed schedules, in addition to existing schedules, are shown on Exhibit No. 4.

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- (3) Exhibit No. 3.
 - (4) Exhibit No. 4.
 - (5) Exhibits Nos. 3, 4 and 4(a).
 - (6) Exhibit No. 5.
 - (7) Exhibit No. 6.
 - (8) Exhibit No. 7.

In addition to the regular services, applicant renders a service called "loaded-to-go." In this service shipments of any weight are loaded onto a short-line truck along with other shipments from the same consignor and delivered direct to consignee without any terminal handling. This service is provided from Los Angeles as far as San Bernardino, Riverside and Colton, on the east; Santa Ana, Costa Mesa, Long Beach and Pacific Palisades on the south and west; and San Fernando on the north as a common carrier, and as far as Santa Barbara, purportedly as a contract carrier. In the area where loaded-to-go service is given, deliveries are made the same day on pickups made prior to noon. Applicant has 63 trucks engaged in performing this service.

In the new territory involved in this submission the number of additional pieces of equipment which applicant will require to operate schedules includes 6 city trucks, 10 short-line trucks, 1 shuttle tractor, 6 extra semitrailers, 2 line semitrailers, and 1 line tractor. Applicant's president testified that 50 per cent of the additional city trucks and 50 per cent of the additional short-line tractors will be owned by applicant, and the balance will be furnished by subhaulers. All of the balance of the new equipment will be owned by the applicant. The cost to applicant of this equipment is set out below:

Additional investment in rolling stock -

City trucks	3 at \$3,000 each	\$ 9,000
Short-line trucks	5 at \$8,000 each	40,000
Shuttle tractor	1 at \$8,000	8,000
Extra semitrailers	6 at \$4,000 each	24,000
Line semitrailers	2 at \$4,000 each	8,000
Line tractor	1 at \$11,500	11,500
		<u>11,500</u>
		\$100,500

Costs of additional terminals, land and improvements, personal property, and personnel at the proposed terminals in the

territory being considered were not given, nor were facts submitted from which these costs could be determined.

As of November 30, 1952, applicant's current assets were \$429,844.96, and its current liabilities were \$393,559.60. ⁽⁹⁾ During the first five months of 1951 it made a profit from its operations of \$64,262.46. ⁽¹⁰⁾ Most of the operating revenues of the consolidated companies accrue from the operation of Southern California Freight Forwarders and Southern California Freight Lines, with Southern California Freight Lines bringing in over 50 per cent of the total. ⁽¹¹⁾ Since 1940 the operating revenues of the two last named companies have increased from less than 1 million dollars annually to slightly under 6 million dollars for the first 11 months of 1951.

Southern California Freight Lines is one of the largest carriers in the State of California. From the evidence presented we find that applicant has the experience, equipment or ability to secure equipment, and financial ability to perform the proposed services in the area included in the partial submission.

A.

Extension of applicant's authority in its authorized service area inclusive of its San Francisco Bay area.

As heretofore stated, applicant has authority to serve, with various restrictions, in the area south of the City of San Fernando to the Mexican Border and east to and including the Imperial and Coachella Valleys via various highways. It is not authorized to serve, or there is a question of its authority to serve, intermediate

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- (9) Exhibit No. 15.
(10) Exhibit No. 11.
(11) Exhibit No. 16.
(12) Exhibit No. 17.

points along U. S. Highway 66 between Pasadena and San Bernardino and along U. S. Highway 101 and U. S. Highway 101 Alternate between San Juan Capistrano and San Clemente and between Long Beach and Newport Beach, and to serve the town of Winterhaven in the Imperial Valley. It seeks authority to serve the town of Ramona east of Escondido and intermediate points between Escondido and Ramona, along U. S. Highway 395 (rerouted) between Temecula and Escondido, and to serve between any two points on authorized routes, and off-highway points. It seeks no authority to serve any portion of an area bounded roughly by State Highway 74 on the north, U. S. Highway 395 on the west, U. S. Highway 80 on the south, and U. S. Highway 99 on the east, except that portion of the described area reached by authorized off-highway authority.

(1) Extension of applicant's services to points east of Los Angeles on or near U. S. Highway 66.

Approximately 70 witnesses with shipments originating at or destined to Los Angeles, Wilmington, Culver City, Azusa, Burbank, Chino, Ontario, Pomona, Upland, Fontana, Claremont, El Monte, Corona, Del Mar, San Diego, National City, Descanso, Downey, or Santa Monica, testified that they desire applicant's services to, from, or between points applicant is not specifically authorized to serve east of Los Angeles. The commodities handled by the companies involved are of all types. Most of the companies have been using applicant's services to or from nonauthorized or disputed points and desire to continue using such services because of the type of service received from applicant. Several of the witnesses represented shippers with large volumes of shipping. They like applicant's loaded-to-go service (direct from shipper to consignee), which they stated is furnished by no other carrier. The witnesses

also desire applicant's same-day delivery in the Los Angeles basin and extra pickups. Applicant favorably impressed other witnesses by supplying open equipment to expedite and assist loading of various types of merchandise. Several witnesses use applicant to make shipments to authorized points and desire that applicant's services be extended to unauthorized points in order to simplify handling and to expedite their deliveries.

Complaints were made that other carriers provided poor pickup, made late deliveries, and failed to perform the type of service desired.

(2) Service to and between points along U.S. Highways 101 and 101 Alternate and to Ramona and Winterhaven.

Approximately 39 witnesses testified relative to the desires for services from, to or between points on U. S. Highways 101 and 101 Alternate between San Juan Capistrano and San Clemente, and between Long Beach and Newport Beach, and to or from Ramona and Winterhaven. These witnesses were from Los Angeles, Compton, Culver City, Pomona, Guasti, Laguna Beach, San Clemente, Westminster, Capistrano Beach, Huntington Beach, San Diego, Escondido, El Centro and Pico. Some of these witnesses have not used applicant's services. Many use applicant's services to its authorized points, like the service it renders and desire to have those services extended to nonauthorized points. They find it inconvenient not to be able to use applicant's services to all points on U. S. Highways 101 and 101 Alternate. The failure of applicant to provide service to all points causes the shippers who use applicant to authorized points to make mistakes in billing, have congested docks and delayed deliveries. Shippers testified that applicant serves Ramona in conjunction with another carrier, and the transfer from one carrier

to another causes delays and losses. They desire direct service by applicant from Los Angeles to Ramona without interchange. Shippers are now using applicant's service from San Diego and El Centro to Winterhaven, and they desire that this service be continued as it is very good. A few of the witnesses expressed dissatisfaction with the services of other carriers.

B.

Need for applicant's services to highway points in Santa Barbara and Ventura Counties.

Approximately 190 witnesses (including three by stipulation) testified relative to their needs for services as proposed by applicant from or to points north or south of Ventura and Santa Barbara Counties, to or from points in those counties, between points in those counties, or between points in those counties and points on U. S. Highway 99. Approximately 15 of these witnesses were allegedly using the services of applicant pursuant to contracts between Santa Barbara and points south thereof, and an additional 50 of the witnesses were using the services of the applicant on shipments destined to those two counties. Many of these 50 witnesses did not know whether the applicant transported their shipments all the way to or from destination, or interchanged with another carrier, and a few of them stated that their shipments were carried part way by applicant and part way by another carrier. Of the witnesses who testified, approximately 20 stated that the minimum rates on the under-100-pound shipments were either the reason, or an important reason, for supporting the applicant. A few were shippers of exempt commodities.

(1) Service to, from, or between highway points in Ventura and Santa Barbara Counties.

Disregarding the shippers of exempt commodities and the shippers desiring applicant's services for the reason that its minimum

rates are lower, over 160 witnesses testified they desire the services of applicant to, from, or between points on the highways in the two counties proposed to be served by applicant. Those using applicant allegedly on a contract carrier basis desire to have the services continued on a highway common carrier basis. Many of the witnesses used the services of applicant in its certificated areas south of Los Angeles, like that service and wish to have it extended into Santa Barbara and Ventura Counties. Several like applicant's loaded-to-go service and want it available as far as Santa Barbara. Witnesses also like the pickup service provided by applicant, and appreciate the fact that applicant will send extra pickup trucks on request. Other witnesses like applicant's time of delivery which is allegedly earlier than that of other carriers at some points. Others desire that shipments into Ventura and Santa Barbara Counties be delivered direct by applicant without interchange with another carrier from points in applicant's presently authorized area in order to eliminate delays and damages due to transfers from one carrier to another and to facilitate the tracing of shipments and the handling of claims. Several want applicant's proposed local service between any two points in the counties. Complaints were made that the existing carriers were slow in making pickups and deliveries, fail to make pickups when requested, have too much breakage, and fail to supply the proper equipment.

(2) Service between U. S. Highway 101 and U. S. Highway 99 points.

In the area under consideration applicant proposes to traverse but not serve Highways 166 and 399 between U. S. Highways 101 and 99. Nine witnesses having truckload or less-than-truckload shipments moving from a point or points on U. S. Highway 99 testified that a

direct, overnight service between these highways without going into Los Angeles would be of benefit to them. Commodities include farm and construction equipment, automotive appliances, tires, nursery stock, vegetables, electrical switches and pump panels. The witnesses testified that it was difficult to get any less-than-truckload service direct as only contract carriers would haul, and that service by highway common carrier goes through Los Angeles and is too slow.

C.

Need for applicant's services along
the San Joaquin Valley route to
northern boundary of Kern County.

Approximately 150 witnesses expressed a desire for applicant's proposed service along U. S. Highway 99 to and including Delano. Applicant's proposed service is desired by shippers or receivers in Anaheim, Bakersfield, Brea, Compton, Colton, Corona, Capistrano Beach, Costa Mesa, Chula Vista, Del Mar, Downey, El Centro, El Monte, Escondido, Gardena, Garden Grove, Greenfield, Guasti, Hermosa Beach, Huntington Beach, Imperial, Inglewood, Laguna Beach, Long Beach, Los Angeles, National City, Ontario, Oxnard, Palm City, Pomona, Pasadena, Pico, Riverside, San Bernardino, San Clemente, San Diego, Santa Ana, South Gate, Tustin, Van Nuys, Vernon, Westminster, and Wilmington to or from points along U. S. Highway 99, and Newhall and Saugus. All types of commodities and all sizes of shipments are to be carried. Many of the shipper witnesses are now using applicant's services to other points and desire that it be made available to them in the area involved. They like the service they are presently receiving via applicant. Some wish to confine their shipments to as few carriers as possible in order to conserve shipping space and labor in segregating shipments to various carriers. These witnesses like applicant's pickup service and its sending out extra trucks for

pickup after the regular pickup period. Applicant allegedly handles merchandise better than other carriers and has less breakage. Many witnesses turn all shipments over to applicant and let it pick the carrier to the points in question. This causes delays and damages, and a direct service by applicant would eliminate such delays and make tracing of shipments easier.

Several produce shippers stated that they have difficulty in securing transportation for produce at the necessary time to reach the Los Angeles market. Shippers of blanket-wrapped furniture in small quantities cannot get fast service as the carriers now giving this service accumulate a truckload before making delivery. This sometimes takes a week and results in loss of sales.

Complaints were made that the highway common carriers serving the area make pickups at the wrong time, fail to make pickups, have too much breakage and trouble with claim adjustments, and lack proper equipment. Pacific Freight Lines does not carry blanket-wrapped furniture and does not offer refrigerated service.

D.

Witnesses desiring service
to off-highway points

Applicant proposes to serve up to five miles on each side of the highway served for any size shipments and to handle shipments of 2,000 pounds or over, or carrying a charge applicable thereto, to all points over five miles and up to 10 miles off the highways served. About 90 witnesses testified that they need such services from various points on the present and proposed service area to off-highway points. The evidence shows that some carriers do not serve the off-highway points, but require the consignee to pick up the shipment at some on-route point or have a local carrier make the delivery at extra cost.

Although numerous protestants made appearances at the hearings and participated in the examination of witnesses, only three, namely, Pacific Freight Lines, Kings County Truck Lines, and Santa Fe Transportation Company presented any evidence in support of their protests.

Kings County Truck Lines

This carrier received its certificate of public convenience and necessity on June 12, 1951 (Decision No. 45829, Application No. 31437). It has authority to carry general commodities, with exceptions, from the Los Angeles Territory to points between Bakersfield and Delano via U. S. Highway 99, including off-route points within 25 miles laterally of U. S. Highway 99 between Delano and Bakersfield, and to carry commodities requiring refrigeration, dairy products and fresh fruits and vegetables in the reverse direction. To perform this service Kings County Truck Lines has 22 line haul diesel trucks, 21 local trucks and 49 van trailers, including 24 equipped with Thermo King refrigeration units. ⁽¹³⁾ Terminal facilities are at Los Angeles and Bakersfield in the territory involved. Four of its pickup trucks are stationed at its Los Angeles terminal and two at its Bakersfield Terminal. The bulk of protestant's hauling is southbound (limited commodities), with as many as 10 empty vans being returned from Los Angeles in one day.

Santa Fe Transportation Company

This carrier has authority to serve all Santa Fe rail points near or along U. S. Highway 66 proposed to be served by applicant, as well as rail points in Kern County proposed to be served by applicant. Agency stations in that area are located at Arcadia, Azusa, Claremont, Fontana, Kaiser, Monrovia, Pomona, Rialto and

(13), Exhibit No. 63.

Upland, on or near U. S. Highway 66, and at Bakersfield, Shafter and Wasco in Kern County. At each of these points protestant has the use of a freight station of The Atchison, Topeka and Santa Fe Railway Company. On January 1, 1952, the protestant had 67 tractors, 73 pickup trucks, and 119 trailers, ⁽¹⁴⁾ including eighteen 35-foot long trailers, open or closed. An overnight service is scheduled in the area involved. ⁽¹⁵⁾ This carrier has minimum charges comparable to those proposed by the applicant.

Pacific Freight Lines

This protestant has authority to serve generally the territory now served by applicant, with the exception that it has no authority to serve along U. S. Highway 395. It also serves the points north of Los Angeles in the area submitted along virtually the identical routes proposed to be served by applicant. ⁽¹⁶⁾ In the area of the submitted portion it has terminals at Bakersfield, Calexico, El Centro, Indio, Los Angeles, Oceanside, Oxnard, Pomona, San Bernardino, San Diego, San Gabriel, Santa Ana, Santa Barbara, Santa Maria, Ventura, and Wilmington. ⁽¹⁷⁾ It has 1,494 pieces of equipment, including 589 trucks and tractors and 589 trailers consisting of stakes, vans and flat beds. ⁽¹⁸⁾ The distribution of the equipment by station is shown by Exhibit No. 40. Protestant allegedly provides an overnight service between Los Angeles and all points served by it in the area under submission.

(14) Exhibit No. 70.

(15) Exhibit No. 71.

(16) See e.g., Dec. No. 24396, on Application No. 17517, dated Jan. 18, 1932, (37 CRC 40); Dec. No. 44230, on Application No. 31037, dated May 23, 1950; Dec. No. 28852, on Application No. 20301, dated June 1, 1936; Dec. No. 28850, on Application No. 20580, dated May 28, 1936.

(17) Exhibit No. 35.

(18) Exhibit No. 41.

No public witnesses were called by Pacific Freight Lines, Kings County Truck Lines, or Santa Fe Transportation Company. It was stipulated that 51 named witnesses from Los Angeles would testify that their companies regularly ship or receive less-than-truckload shipments of freight moving between the points within the territory involved in this application which the protestants Pacific Freight Lines and Santa Fe Transportation Company are authorized to serve as common carriers, that they use the services of the protestants which include dependable pickup and delivery service and transportation of shipments from origin to destination within the territory involved in the application, that such service has been satisfactory and adequate to meet their shipping requirements, and that, so far as their business needs are concerned, there is no need for an additional common carrier service from the origins or destinations to which they ship or from which they receive shipments in the territory involved. It was further stipulated that Pacific Freight Lines could call a substantial number of witnesses who would testify in like manner at Oxnard, Santa Barbara, Santa Maria and El Centro; and that Pacific Freight Lines and Santa Fe Transportation Company could also call a substantial number of witnesses at Bakersfield, Santa Ana, San Diego, San Bernardino, and Pomona, who would testify to the same effect as the Los Angeles witnesses.

Briefly, the rights of the protestants which presented no evidence are as follows:

1. Moser Frozen Food Freight Line.

Frozen or fresh fish, meats, juices, fruits, butter, and similar items, between the Los Angeles Territory and points on U. S. Highways 99 and 101.

2. Smith Transportation Co.

General commodities, with exceptions, from the Los Angeles Drayage Area to points and places within 5 miles laterally of U. S. Highway 101 and State Highway Nos. 1 and 150, between Buellton and Paso Robles.

3. Pacific Motor Trucking Company.

General commodities between all Southern Pacific Company rail points in the area of Los Angeles and south and east thereof and along U. S. Highway 99 from Los Angeles to Delano.

Pacific Freight Lines' Evidence

Pacific Freight Lines, which serves points served and proposed to be served by applicant south of the northern boundaries of Kern and Santa Barbara Counties with the exception of points on U. S. Highway 395, submitted evidence intended to show that the applicant's witnesses merely testified for the reasons that they believed they would secure a lower rate from Southern California Freight Lines on shipments under 100 pounds, that the extension of applicant's authority would divert much traffic from Pacific Freight Lines solely as a result of the proposed lower rates of Southern California Freight Lines, that a substantial portion of Pacific Freight Lines' traffic consists of shipments under 100 pounds, and that the loss of such traffic would seriously jeopardize protestant's ability to continue in business. Out of 298 witnesses who testified, approximately 170 definitely had shipments under 100 pounds and only a portion of these stated that they desire the applicant's services because of lower minimum rates.

(19) It appears that since the hearings the disparity between the rates of the carriers has been nullified to a large extent. For example, at the present time, applicant's rates (Southern California Local, Joint and Proportional Freight Tariff No. 6, Cal. P.U.C. No. 6) and Pacific Freight Lines' rates (Pacific
(Continued on next page)

Applicant's present services are performed in the area south and east of San Fernando to and including the Imperial Valley and the San Diego area. Many witnesses testified that they use applicant's services to all points it serves and desire that those services be made available to them to the points it seeks to serve in the described area, including the points this Commission recently held applicant was not authorized to serve. Transportation of all commodities is desired. It also appears that shippers and consignees are not entirely satisfied with the existing carriers although, as a whole, the criticisms were unsubstantial or not verified. Inasmuch as applicant has been serving under permits most of the points it seeks authority to serve as a certificated carrier in the area, it does not appear that the granting of the requested authority will materially affect the existing carriers. For the foregoing reasons we find that public convenience and necessity require that applicant be given authority to serve as a highway common carrier as requested, over routes 1 through 12, inclusive, as described in the order herein, including lateral rights as requested by applicant.

Concerning the areas and routes north of applicant's presently authorized service area and to the northern boundaries of Santa Barbara and Bakersfield Counties, the bulk of the evidence on

(19) cont. Freight Lines Local and Joint Freight and Express Tariff No. 1, Cal. P.U.C. No. 1, E. J. McSweeney, Agent) are identical for shipments over 50 pounds, i.e., over 50 pounds to 75 pounds, \$1.00, over 75 pounds to 100 pounds, \$1.15, and over 100 pounds, \$1.25. While Pacific Freight Lines has no charge less than \$1.00, Southern California Freight Lines has a charge of 75¢ for shipments of 25 pounds or less, and a charge of 85¢ for shipments over 25 pounds to 50 pounds.

behalf of the applicant is the desire on the part of numerous witnesses to use the services of the applicant. Many of them desire these services as they use them in points now served and want to send all shipments via one carrier. There was little evidence of faulty service. Many witnesses were generally unfamiliar with the existing carriers. Two carriers with which witnesses were generally unfamiliar serve on U. S. Highway 99, Santa Fe Transportation Company and Kings County Truck Lines. Kings County Truck Lines serves any point within 25 miles laterally of U. S. Highway 99. Santa Fe Transportation Company serves between all Atchison, Topeka and Santa Fe Railway Company rail points. Valley Motor Lines and Pacific Motor Trucking Company also serve along this route. Kings County Truck Lines presented convincing evidence that it daily sends empty trucks north from Los Angeles to U. S. Highway 99 points.

Pacific Freight Lines and Smith Transportation Company serve the territory involved along the coast. Smith Transportation Company serves laterally within five miles of U. S. Highway 101 and State Highways 1 and 150. Complaints were few against either carrier, and the two cover the area applicant seeks to serve. In our opinion applicant has failed to show that public convenience and necessity require that applicant be authorized to serve in Ventura, Santa Barbara and Kern Counties and that portion of the application will, therefore, be denied.

O R D E R

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

A.

IT IS ORDERED that a certificate of public convenience and necessity be, and it hereby is, granted to Southern California Freight Lines, authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of property to, from, and between all places situated on the following routes and within a radius of five miles laterally on each side of said routes:

Route 1. Between Los Angeles and San Bernardino via U. S. Highway 66.

Route 2. Between Los Angeles and the United States-Mexican Border at Calexico via U. S. Highway 99, and including alternate route via State Highway 111 from its intersection with U. S. Highway 99 approximately 2 miles west of Whitewater to Calexico, and also including off-line route via unnumbered highway from its intersection with U. S. Highway 99 at Twentynine Palms junction to and including the City of Twentynine Palms.

Route 3. Between Los Angeles and Beaumont via U. S. Highways 70 and 99, and from Pomona via U. S. Highway 60 to Beaumont, including lateral route over State Highway 79 from its intersection with U. S. Highway 60 about 5 miles east of Sunnymead to its intersection with State Highway 74 at Hemet.

Route 4. Between Los Angeles and United States-Mexican Border south of San Ysidro via U. S. Highway 101, including off-route point of Olinda and within five miles of the United States post office at Olinda, including Camp Pendleton, U. S. Marine Base, and also including alternate routes: (1) via U. S. Highway 101 By-Pass between Los Angeles and the junction of U. S. Highway 101 and 101 By-Pass south of Anaheim; (2) routes over roads and streets in the City of San Diego via La Jolla, Pacific Beach, Mission Beach, Ocean Beach, Point Loma; (3) Santa Ana, Newport Beach, and Balboa via Main Street, State Highway 55 and unnumbered highway; and (4) North Island, Coronado, and Silver Strand via ferry from San Diego and over State Highway 75.

Route 5. Between Santa Monica and Doheny Park via U. S. Highway 101 Alternate from and including Santa Monica to its junction with U. S. Highway 101 at Doheny Park, also including off-line points of San Pedro and Terminal Island.

Route 6. Between junction of U. S. Highway 99 and U. S. Highway 6, north of the City of San Fernando, and Wilmington (Los Angeles Harbor), via U. S. Highway 99 to Los Angeles, thence via Figueroa Street, Avalon Boulevard or Alameda Street to Wilmington, also via lateral route commencing at the intersection of U. S. Highway 99 and Sunland Boulevard in Sun Valley; thence via Sunland Boulevard and State Highway 118 through Sunland to the intersection of State Highways 118 and 2; thence via State Highway 2 to its intersection with U. S. Highway 99 in Glendale.

Route 7. Between Anaheim and San Bernardino via U. S. Highway 91.

Route 8. (a) Between Riverside and San Diego via U. S. Highway 395 from Riverside to junction of re-routed U. S. Highway 395 approximately 2 miles south of Rainbow with old Highway 395; thence via old U. S. Highway 395 through Fallbrook, Bonsall, Vista and San Marcos to Escondido, including U. S. Naval Fallbrook Ammunition Depot; thence via U. S. Highway 395 to San Diego. Also including realigned route via new U. S. Highway 395 from point approximately two miles south of Rainbow to Escondido.

(b) Between Perris and Idyllwild via State Highway 74 from Perris to Idyllwild Junction; thence via unnumbered highway to Idyllwild.

(c) Between Escondido and Ramona via State Highway 78.

Route 9. Between San Diego and the California-Arizona boundary near Winterhaven via U. S. Highway 80 and also via alternate route from San Diego via U. S. Highway 94 to its intersection with U. S. Highway 80 at White Star.

Route 10. Between Los Angeles and Santa Monica via U. S. Highway 66.

Route 11. Between Buena Park and the Pacific Ocean via State Highway 39.

Route 12. Between Pasadena and Long Beach via U. S. Highway 66 and State Highway 19.

B.

IT IS FURTHER ORDERED that a certificate of public convenience and necessity be, and it hereby is, granted to Southern California Freight Lines authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code

for the transportation of property except used household goods, petroleum in bulk, animals or pets, money or valuable papers, precious metals or stones or articles manufactured therefrom, jewelry or other articles of extraordinary value, between all points more than five miles, but not over ten miles, from highways and routes named in ordering paragraph A above, and between all points and places authorized to be served by ordering paragraph A and all points authorized to be served by this ordering paragraph B, restricted to shipments weighing not less than 2,000 pounds but including any shipments which shall carry a charge applicable to shipments of not less than 2,000 pounds.

IT IS FURTHER ORDERED that the authority granted herein is in lieu of the authority granted by the decisions set forth in Appendix A hereto.

IT IS FURTHER ORDERED that in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty days after the effective date hereof, and upon not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission. ✓

IT IS FURTHER ORDERED that, except as expressly provided ✓
herein, the application, insofar as it concerns present or proposed
operations south of the northern boundaries of Kern County and
Santa Barbara County, exclusive of operations between the authorized
service area and the San Francisco Territory, is denied.

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

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

R. F. [Signature]
President

Justin F. [Signature]
Harold [Signature]

Samuel [Signature]
Ed [Signature]
Commissioners

APPENDIX "A"

<u>Decision No.</u>	<u>Application No.</u>	<u>Date</u>
4921	3355	Dec. 4, 1917
5331	3682	April 20, 1918
5644	3682	July 30, 1918
5820	4106	Oct. 1, 1918
5859	4106	Oct. 21, 1918
6426	4586	June 25, 1919
6722	4567	Oct. 2, 1919
6898	4999	Dec. 5, 1919
6966	4712	Dec. 19, 1919
7064	5107	Jan. 27, 1920
7328	5495	March 30, 1920
7600	5354	May 18, 1920
7763	5791	June 19, 1920
7787	5807	June 24, 1920
8044	5788	Aug. 28, 1920
8403	5887	Nov. 30, 1920
8590	6503	Jan. 26, 1921
8715	6095-6096	March 8, 1921
8965	6428	May 12, 1921
9047	6428	June 3, 1921
9103	6916	June 14, 1921
9316	7058	Aug. 5, 1921
9416	6706	Aug. 25, 1921
9582	7226	Oct. 3, 1921
10088	7552	Feb. 15, 1922
10467	7730	May 16, 1922
10468	7679	May 17, 1922
10477	7858	May 18, 1922
10521	7785	May 31, 1922
10733	7888	July 20, 1922
11174	8353	Oct. 27, 1922
11407	8303	Dec. 29, 1922
11555	8203	Jan. 25, 1923
11867	8607	March 30, 1923
11971	8928	April 25, 1923
12029	8959	May 3, 1923
12255	8895	June 23, 1923
12357	7534	July 13, 1923
12643	9382	Sept. 20, 1923
12647	9383	Sept. 21, 1923
13371	9780	April 5, 1924
13572	9871	May 17, 1924
13639	9424	June 3, 1924
14134	10464	Oct. 4, 1924
14570	10625	Feb. 17, 1925
14590	10818	Feb. 24, 1925
14781	10954	Apr. 10, 1925
15005	10894	June 3, 1925
15068	11192	June 15, 1925
15085	10817	June 22, 1925
15550	11713	Oct. 21, 1925
15671	11079	Nov. 21, 1925
15798	11926	Dec. 28, 1925
15952	12244	Feb. 8, 1926
15969	12493	Feb. 9, 1926

APPENDIX "A" (Continued)

<u>Decision No.</u>	<u>Application No.</u>	<u>Date</u>
16315	11227	Mar. 29, 1926
16547	12740	April 23, 1926
16797	12651	June 5, 1926
16902	11188	June 12, 1926
17363	13072	Sept. 21, 1926
17377	9780	Sept. 21, 1926
17435	13190	Oct. 5, 1926
17540	11319	Oct. 29, 1926
17586	11820 & 11928	Nov. 10, 1926
17712	11820 & 11928	Dec. 3, 1926
17757	13156	Dec. 13, 1926
17947	12024	Feb. 2, 1927
18150	10683	Mar. 3, 1927
18749	11502	Aug. 25, 1927
18887	14076	Oct. 4, 1927
19685	14253	April 27, 1928
20633	15152	Dec. 28, 1928
21037	15551	May 2, 1929
21300	13690	June 28, 1929
21831	15688	Nov. 26, 1929
21898	16141	Dec. 15, 1929
21934	16127	Dec. 20, 1929
22746	16300	Aug. 5, 1930
23374	17175	Feb. 9, 1931
23497	17199	Mar. 12, 1931
23722	17002	May 25, 1931
23867	17444	July 3, 1931
23905	16141	July 24, 1931
24033	17617	Sept. 14, 1931
24277	17726	Dec. 7, 1931
24304	17836	Dec. 14, 1931
24353	17872	Dec. 28, 1931
25859	18723	Apr. 24, 1933
26082	18936	June 19, 1933
26138	18977	July 10, 1933
26448	18947	Oct. 23, 1933
26653	18821	Dec. 18, 1933
26908	18381	April 2, 1934
27061	19260	May 21, 1934
27122	19457	June 4, 1934
27189	19508	July 2, 1934
27190	19509	July 2, 1934
27344	18480	Sept. 11, 1934
27366	19587	Sept. 17, 1934
27937	19934	May 6, 1935
28456	20255	Dec. 21, 1935
28506	18977	Jan. 20, 1936
28675	20048	Mar. 30, 1936
29055	20674	Aug. 17, 1936
29315	19675	Nov. 30, 1936
30241	21384	Oct. 18, 1937
30499	20873	Jan. 3, 1938
31483	22366	Nov. 28, 1938
31834	22169	Mar. 20, 1939
32783	23099	Feb. 6, 1940

APPENDIX "A" (Continued)

<u>Decision No.</u>	<u>Application No.</u>	<u>Date</u>
35464	24998	June 9, 1942
35492	23844	June 16, 1942
37695	24211	Feb. 27, 1945
38260	26938	Oct. 2, 1945
39413	20674	Sept. 17, 1946
41549	28636	May 4, 1948
42827	29845	May 3, 1949
45701	32315	May 15, 1951
47668	33393	Sept. 2, 1952