

ORIGINALDecision No. 49186

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 JACK L. ANDERSON and HAZEL ANDERSON,)
 a copartnership, doing business as)
 ANDERSON CARTAGE AND WAREHOUSE)
 COMPANY, for a certificate of public)
 convenience and necessity to operate)
 as a highway common carrier for the)
 transportation of general commodi-)
 ties between Stockton, Modesto,)
 Tracy, Patterson, Oakdale, Lodi,)
 and various other points in the)
 vicinity thereof.)

Application No. 34165
 As Amended

Marquam C. George, for applicants.
Willard S. Johnson, for J. Christenson Co.,
 interested party.
Ken D. Anderson, for Reilley Truck Line;
Frederick W. Mielke, for Delta Lines,
 Valley Motor Lines and Valley Motor Lines
 Express; Frederick E. Fuhrman, for Southern
 Pacific Company, Pacific Motor Trucking
 Company, Central California Traction Company
 and Railway Express Agency; Robert W. Walker
 and Richard K. Knowlton, for Santa Fe
 Transportation Company and The Atchison,
 Topeka and Santa Fe Railway Company;
C. A. Millen, for Valley Express Company,
 Valley Motor Lines, Inc., California Motor
 Transport, Ltd., and California Motor
 Express, Ltd.; Douglas Brookman, for Pacific
 Greyhound Lines and California Motor Transport
 Company; L. M. Weigel, for Pacific Freight
 Lines; Marvin Handler, for Lodi Truck Service
 and California Central Truck Company; and
F. L. Edlefsen, for Motor Transport System,
 protestants.

O P I N I O N

Applicants, who have been acting as the local pickup and
 delivery agency for Pacific Motor Transportation Company in Stockton,
 seek authority to transport general commodities to and from that
 city and points within a 30-mile radius over and along the principal
 highways and to serve off-route points within two miles of said
 highways. Applicants were granted permission to amend their appli-
 cation so as to eliminate from the request the transportation of

household goods, personal effects, office and store fixtures and equipment and the transportation of commodities in insulated or refrigerated truck or trailer equipment.

Public hearings were held in Stockton, California before Examiner Rowe on June 8, 9 and 10, and August 20, 1953 and the matter was argued on September 23, 1953 in San Francisco at which latter time the matter was duly submitted for decision.

The application was supported by the testimony of 20 public witnesses representing substantial shippers in the area. Counsel for applicants stated that no attempt had been made to show that the overnight service performed by the 12 or more highway common carriers in the area was not adequate.

The chief basis in support of the request was the offer of two scheduled services per day, excluding Saturdays and Sundays. One schedule to the various points would leave Stockton early in the morning rendering overnight delivery and the second schedule would leave Stockton at 1:00, 1:30 or 2:00 p.m., depending upon destination, thereby effecting same-day delivery for freight picked up in Stockton in the morning. ✓

This afternoon schedule was designed to satisfy the requirement shown by the testimony of many of the public witnesses that they had frequent need for same-day delivery of freight where emergency factors are involved. These shipments requiring expedited service as a rule were described as being relatively small as to size and weight. Such shipments alone could not be expected to constitute remunerative traffic. This portion of the freight movement is presently carried either in the consignee's own private equipment or by Pacific Greyhound Lines. The use of Greyhound's service involved

the shipper's bringing the article to the Greyhound depot and the consignee's likewise picking up the parcel at the other end of the movement.

While the public witnesses stressed the need for this expedited freight movement, the value of this evidence was materially lessened by the fact that they had not requested such service of existing carriers and where such service is presently offered, as it is to Tracy, these witnesses were not using the services of Reilley Truck Line, which rendered it there, but instead have required their customers to pick up the freight, or they have used Greyhound. Several such witnesses also conceded that the one extra movement would not often coincide with their rush needs.

From the evidence of record the Commission is unable to find that public convenience and necessity require the proposed operation. Consequently, this application will be denied.

O R D E R

Application having been filed, public hearings having been held, the Commission being advised in the premises and having found the evidence of record does not establish that public convenience and necessity require the granting of this application,

IT IS ORDERED that Application No. 34165 be, and it hereby is, denied.

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

Dated at San Francisco, California, this 6th day of October, 1953.

Justin J. O'Connell President
Francis J. Potter
Edward E. [unclear]
Commissioners