

Decision No. 49749

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	)	
of HOMER M. BROWER and CREIGHTON	)	
W. BROWER, a copartnership, doing	)	
business as SONORA FREIGHT LINES,	)	Application No. 35109
for a certificate of public con-	)	
venience and necessity to operate	)	
as a highway common carrier.	)	

O P I N I O N

Homer M. Brower and Creighton W. Brower, co-partners, presently certificated as a highway common carrier for the transportation of general commodities, except lumber, livestock and uncrated used household goods, between Modesto, on the one hand, and Knights Ferry, Jamestown, Sonora, Standard, Tuolumne, Soulsbyville, Strawberry, Pinecrest, and intermediate points, on the other hand, and between all intermediate points between Knights Ferry and Pinecrest, inclusive, other than between Sonora and Pinecrest and intermediate points via Twain Harte, Long Barn or Strawberry, with certain exceptions, seek authority to extend their service to such points as Chinese Camp, Jacksonville, Groveland, Buck Meadow and Hetch Hetchy Reservoir, and intermediate points.

Applicants allege that they know of no common carrier operating in the proposed territory but that copies of the application were served upon Karlson Bros. Trucking Service, Greyhound Bus Lines and Sierra Railway Company, as carriers who might in some respect be affected by such application. No protests to the granting of the application have been filed.

According to the application, applicants operate a substantial fleet of motor vehicle equipment and possess adequate financial resources to institute and maintain the proposed service.

Applicants allege that an important part of their highway common carrier service consists of delivering shipments to points along their presently authorized routes for pickups subsequently made by consignees located at points along the routes proposed to be served; that receivers of freight in the proposed territory must call for their shipments either at Modesto or Sonora; that such procedure is unduly inconvenient and expensive; that they have been requested by merchants and other businessmen in the area proposed to be served to seek authority to establish a highway common carrier service therein; that the integration of the additional points into their present service will establish an economically balanced operation.

Under the circumstances here disclosed the Commission is of the opinion and finds that public convenience and necessity require that the application be granted. A public hearing is not necessary.

The certificate granted herein will comprehend all of applicants' operative rights as a highway common carrier, therefore the certificate previously acquired by them will be revoked and annulled.

O R D E R

An application having been filed, the Commission being of the opinion that the authority sought should be granted,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Homer M. Brower and Creighton W. Brower, co-partners, authorizing them to operate as a highway common carrier as defined by Section 213 of the Public Utilities Code, for the transportation of general commodities except lumber, livestock and uncrated used

household goods, between the points and over the routes as follows:

- (a) Between Modesto, on the one hand, and Knights Ferry, Jamestown, Sonora, Standard, Tuolumne, Soulsbyville, Strawberry, Pinecrest, Chinese Camp, Jacksonville, Moccasin, Big Oak Flat, Groveland, Buck Meadow, Hetch Hetchy Reservoir, Cherry Valley, and intermediate points, on the other hand, via California State Highways 49, 108, and 120, and certain unnumbered highways; and
- (b) Between Knights Ferry, Jamestown, Sonora, Standard, Tuolumne, Soulsbyville, Strawberry, Pinecrest, Chinese Camp, Jacksonville, Moccasin, Big Oak Flat, Groveland, Buck Meadow, Hetch Hetchy Reservoir, Cherry Valley, and intermediate points thereto, via California State Highways 49, 108, and 120, and certain unnumbered highways.

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

- (a) Within 30 days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within 60 days after the effective date hereof, and on 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, appropriate tariffs and timetables.
- (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 highways and routes hereinabove enumerated in paragraph (1).

(3) That the foregoing certificate is granted in place and stead of the highway common carrier operative rights and certificate granted by Decision No. 41589, dated May 18, 1948, in Application No. 28683 and heretofore acquired by applicants pursuant to Decision No. 48578, Dated May 12, 1953, in Application No. 34252, and that

such operative rights and certificate are hereby revoked and annulled.

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

Dated at San Francisco, California, this 2<sup>nd</sup> day of March, 1954.

A. J. Anderson  
President

Justus J. Caldwell

Bennett Pottel

Peter E. Mitchell

Donne Higgins  
Commissioners