

Decision No. 49870**ORIGINAL**

## 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 operations as a ) Application No. 35148  
 highway common carrier between )  
 Nimbus and Sacramento and Port )  
 Chicago, California. )

Bertram S. Silver and Edward M. Berol  
 by S. Silver for applicants.  
 Frederick E. Fuhrman and William Meinhold  
 by Frederick E. Fuhrman for Southern Pacific  
 Company and Pacific Motor Trucking Company as  
 protestants.

O P I N I O N

By this application filed February 13, 1954 Sacramento Freight Lines, a partnership, seeks authority to extend its operative rights between Sacramento and Nimbus and between those two points on the one hand and Port Chicago on the other. A request contained in an amendment filed March 5, 1954 to serve intermediate and off-route points was abandoned at the hearing.

Public hearing was held in Sacramento on March 19, 1954 before Examiner Rowe. After the applicants indicated that they would not request authority to serve intermediate or off-route points Southern Pacific Company and Pacific Motor Trucking Company withdrew their protests. Oral and documentary evidence was adduced and the matter duly submitted for decision.

Applicants presently operate as highway common carriers between Sacramento and Nimbus on the one hand and on the other hand the Los Angeles Territory and Azusa for the transportation of explosives, ammunition and component parts. <sup>(1)</sup> They also transport general

(1) Decision No. 48005 dated December 2, 1952 in Application No. 33767.

commodities with certain exceptions between Sacramento on the one hand and on the other hand Portola, Herlong and Loyaltan and certain intermediate points <sup>(2)</sup> and Los Angeles and other points. <sup>(3)</sup>

According to applicants' Sales and Traffic Manager they now have sufficient equipment available in Sacramento and in Nimbus to carry on the proposed operation. Also, they have a safety engineer fully qualified to instruct the drivers and others as to the proper method of handling explosives with safety. The charges for the service to be instituted will be in accordance with those provided in Highway Carriers' Tariff No. 2 of this Commission. According to this witness the present personnel can handle the increased traffic anticipated.

A witness representing the Aero Jet General Corporation plant in Nimbus testified that there is a substantial need by his company for the proposed service. At present this company tests materials received from the East in Nimbus and then transports them to their warehouses in Sacramento where they are stored and later returned to Nimbus. This company would prefer to use a highway common carrier for this transportation rather than operate its own trucks. The proposed service to Port Chicago was said to be needed and was described as substantially like applicants' carriage of explosives, ammunition and component parts to other points.

Three public witnesses representing distributors located in Sacramento testified as to the need of service between Sacramento and Nimbus. Counsel stated that he had talked with nine witnesses of other firms who would, if called, testify substantially as had

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- (2) Decision No. 47252 dated June 2, 1952 in Application No. 32378, and  
(3) Decision No. 42352 dated December 2, 1948 in Application No. 28326 and Decision No. 45259 dated January 16, 1951 in Application No. 30533 and other decisions.

the three who appeared, but that they would not be called in view of the withdrawal of protests of all competitors who had appeared.

The Commission finds that public convenience and necessity require the institution of the proposed service, and that applicants have adequate personnel and the equipment required. In view of the fact that the proposal does not involve a substantial increase in mileage to be operated nor a material increase in labor or equipment expense it appears that the application should be granted. It should result in an increase in the applicants' net revenue and will meet a public need. This action, however, shall not be construed as approval of the financial condition of applicants as indicated by the balance sheet submitted, Exhibit No. 3.

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 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 of the Public Utilities Code for the transportation of General Commodities except uncrated household goods, livestock, commodities in bulk and articles of extraordinary value between Nimbus and Sacramento and for the transportation of dangerous explosives, ammunition and component parts of ammunition and explosives between Sacramento and Nimbus on the one hand and Port Chicago on the other hand, as an extension and enlargement of applicants' existing authority.

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

- a. Within thirty days after the effective date hereof, applicants 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, applicants shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.
- c. Subject to the authority of the Commission to change or modify them by further order applicants shall conduct operations pursuant to the certificates herein granted over and along U. S. Highway 50 and U. S. Highway 40, State Highway 4 and other appropriate substitute public highways.

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

Dated at Santa Monica, California, this 30<sup>th</sup> day of March, 1954.

R. J. [Signature]  
President

Justus R. [Signature]

Lawrence [Signature]

W. E. [Signature]

W. [Signature]  
Commissioners