

Decision No. 50103**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 J. CHRISTENSON CO., a corporation, )  
 to extend its highway common carrier )  
 service from and to Santa Maria, and )  
 certain other points in California. )

Application No. 35120

Appearances

Willard S. Johnson for applicant.  
Marquam C. George for Coast Counties Refrigerated  
 Trucks, protestant.

O P I N I O N

J. Christenson Co., presently certificated as a highway common carrier for the transportation of commodities in insulated vehicles equipped with temperature control systems between numerous points in central and northern California, bounded generally by Project City and Redding on the north; Bodega Bay and Monterey, along the coast; Nevada City and Colfax, on the east; Salinas and Maricopa, on the south, seeks authority to extend its service to such points as Morro Bay on the coast; Santa Maria along U.S. Highway 101, on the south, and Famoso along U.S. Highway 466, on the east. ✓

Public hearings were held at San Francisco and Oakland before Examiner Silverhart on April 13, 14, 15 and 26, 1954 on which last date the matter was submitted.

Coast Counties Refrigerated Trucks protested the granting of the application in so far as it affected King City, Paso Robles and San Luis Obispo.

Applicant proposes to maintain its present time schedules and integrate therein service to the extended area. The rates to be assessed and the rules and regulations in connection therewith generally will be the same as now contained in its Tariff No. 1-A, Cal. P.U.C. No. 2, presently filed with the Commission.

The record discloses that applicant possesses the experience, equipment, terminal and storage facilities and adequate financial resources to institute and maintain the proposed operation.

Applicant's general manager testified that it has been requested by shippers presently served to enlarge the scope of its service to encompass points within the proposed area. The witness stated he did not know of any highway common carrier affording a regularly scheduled temperature control service in truckload or less than truckload shipments between applicant's present service area and the proposed extended territory.

Representatives of firms which ship the kinds of commodities here involved to points within the scope of the application testified that they had used and now are using applicant's service; that such service was and is satisfactory; that their products require temperature control during transit; that applicant's proposed extension of its service is needed and will be used if the authority sought herein is granted.

Representatives of other firms dealing in commodities requiring temperature control in transit testified that they were not now shipping to the proposed area because of the unavailability of a highway common carrier refrigeratory service thereto. They stated that such a service would enable them to develop business in the area and that they will use the proposed service if authorized. ✓

Most of the witnesses stated that they know of no regularly scheduled highway common carrier temperature control service to the proposed area.

The protestant did not testify or call any witness in its behalf.

The record demonstrates that Coast Counties Refrigerated Trucks in so far as the points to which it has addressed its protest are concerned, does not make readily available the type of temperature control transportation service here proposed by applicant and desired by shippers.

After careful consideration of the facts presented, the Commission finds that public convenience and necessity require the establishment and operation of a service by applicant as a highway common carrier for the transportation of property as described in and between the points set forth in the ensuing order.

O R D E R

Public hearings having been held and based upon the evidence therein adduced,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is granted to J. Christenson Co., a corporation, authorizing it to operate as a highway common carrier as defined by Section 213 of the Public Utilities Code, for the transportation of:

- (a) Commodities requiring temperature control all or a part of the year;
- (b) Dairy products, namely, ice cream preparations; milk, powdered; milk, malted; milk food, other than malted, dry;
- (c) Packing house products, namely, canned meats, sausage casings; lard, or lard substitutes;

- (d) Table sauces, relishes, salad dressings in mixed shipments with commodities requiring temperature control all or part of the year;
- (e) Empty containers, packaging materials and labels;
- (f) Advertising matter, in mixed shipments with commodities requiring temperature control all or part of the year;

between:

(1) All points J. Christenson Co. is presently authorized to serve and all points and places on and within five miles laterally of the following routes:

- (a) U.S. Highway 101 between Salinas and Santa Maria;
- (b) U.S. Highway 466 between Paso Robles and Famosa;
- (c) U.S. Highway 466 between Atascadero and Morro Bay;
- (d) State Highway 1 between San Luis Obispo and Morro Bay.

(2) All points and places on and within five miles laterally of the routes and points specified in subparagraphs (a) through (d) above.

(3) That the certificate herein granted is subject to the conditions and limitations set forth in ordering paragraph (2) (a) and (b) of Decision No. 46875, dated March 17, 1952 as amended by Decision 48671, dated June 1, 1953.

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

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days after the effective date hereof.

(b) Within 60 days after the effective date hereof and on not less than 5 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.

(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 enumerated in paragraph 1.

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

Dated at San Francisco, California, this 1<sup>st</sup> day of June, 1954.

John E. Mitchell  
President

Justin J. Craven

Benneth Potter

Verne Higgins

Commissioners