

ORIGINAL

Decision No. 50437

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 commodities between Stockton,
 Modesto, Tracy, Oakdale, Lodi, and
 various points in the vicinity thereof.

) Application No. 35098

- Marques C. George, for applicants.
Robert W. Walker and Henry M. Moffat, for Santa Fe
 Transportation Company and The Atchison, Topeka and
 Santa Fe Railroad Company, protestants.
Frederick W. Mielke, for Delta Lines, Inc., and
 Lodi Truck Service, protestants.
 William Meinhold and Frederick E. Fuhrman, for Southern
 Pacific Company, Pacific Motor Trucking and Central
 California Traction Company, protestants.
Francis X. Vieira, for Reilly Truck Line, protestant.
C. A. Millon, for Pacific Freight Lines, protestant.
Douglas Brookman, for Valley Express Company, California
 Motor Express, Ltd., and Pacific Greyhound Lines,
 protestants.
F. E. Edlofsen, for Miles Motor Transport System,
 protestant.
D. L. Peterson, for California Central Truck Company,
 interested party.

O P I N I O N

Jack L. Anderson and Hazel Anderson seek a certificate of
 public convenience and necessity to operate as a highway common
 carrier for the transportation of general commodities, with certain
 exceptions, between Stockton, Modesto, Tracy, Oakdale, Riverbank,
 Escalon, Lodi and intermediate points, with service to any points
 within an airline distance of two miles of the highways over which
 operations will be conducted.

Public hearings were held before Examiner Carl Silverhart
 in Stockton on March 22, 23, 24, 25, May 3 and 4, and July 13 in

Stockton and in San Francisco on July 12, 1954.

The applicants herein, by Application No. 34165, filed March 7, 1953, sought authority to transport general commodities, with certain exceptions, between all the points here involved, and in addition, between Tracy and Patterson, between Stockton and Farmington and between Modesto and Farmington. The allegations contained in such application and in the instant application are otherwise the same except for some changes in time schedules which would not affect the kind of service proposed in both applications.

By Decision No. 49186, dated October 6, 1953, the Commission denied Application No. 34165, upon the ground it was unable to find that public convenience and necessity required the service proposed therein.

An examination of the record in the instant proceeding reveals that applicants have again proffered the same type of evidence presented by them in Application No. 34165 and reviewed in Decision No. 49186. Each of the protestants herein appeared as a protestant in Application No. 34165 and takes the same position herein as therein.

Therefore, no useful purpose would be served to here repeat a discussion of such evidence.

It is sufficient to say that applicants have again failed to establish that public convenience and necessity require the proposed service.

The application will be denied.

O R D E R

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

IT IS ORDERED that Application No. 35098 is denied.

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

Dated at San Francisco, California, this 17th day of August, 1954.

John L. ...
PRESIDENT
JUSTIN J. ...
Samuel H. ...
Verne ...

COMMISSIONERS