

Decision No. 50792**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 KARLSON BROS. TRUCKING SERVICE, a ) Application No. 35182  
 corporation, to remove restriction. )

Willard S. Johnson, for applicant  
Frederick W. Mielke, for Delta Lines, Inc.,  
 protestant  
William Meinhold and Frederick E. Fuhrman, for  
 Southern Pacific Company and Pacific Motor  
 Trucking Company, protestants  
Bertram S. Silver and Edward M. Berol, for  
 Miles Motor Transport System and Fortier  
 Transportation Company, protestants  
Francis X. Vieira, for Reilley Truck Line,  
 protestant  
Douglas Brookman, for Valley Motor Lines, Inc.,  
 and Valley Express Company, protestants

O P I N I O N

R. Karlson and G. Karlson were certificated to operate as a highway common carrier for the transportation of property generally between the San Francisco Territory and East Bay points and points within 15 miles laterally of Sacramento on the north, Merced on the south, and within 25 miles laterally of Sonora on the east, by Decision No. 49192, dated October 6, 1953, in Application No. 32276. Such decision contains the following restriction:

"(b) Applicants shall not transport any shipments to and from Sharpe General Depot, Lathrop, and Sharpe Sub-Depot, Lyoth, other than lumber and forest products as defined in Highway Carriers' Tariff No. 2."

By authority granted in Decision No. 49489, dated December 30, 1953, in Application No. 34971 R. Karlson and G. Karlson transferred such operating authority to Karlson Bros. Trucking Service.

Applicant seeks an order deleting the above restriction so that Sharpe General Depot, Lathrop and Sharpe Sub-Depot, Lyoth may be included within its certificated territory.

Public hearings were held at Stockton before Examiner Carl Silverhart and the matter submitted on October 28, 1954.

The record indicates that applicant presently serves Sharpe Sub-Depot, Lyoth, and Sharpe General Depot, Lathrop, pursuant to a radial highway common carrier permit. If the application is granted, applicant proposes to extend its on-call service to the depots and will publish rates and charges as contained in its presently filed tariff.

Exhibit 13 and Exhibit 16 contain a list of shipments transported by applicant and its predecessors between Sharpe General Depot, Lathrop or Lyoth, on the one hand, and points within applicant's certificated area on the other hand. These exhibits show that applicant and its predecessors served three shippers from August, 1952 through December 1952 in transporting 59 shipments to or from Lyoth. From January 1953 through November, 1953, the United States Government and four other shippers were served and 10 shipments were transported to or from Lathrop and 48 to or from Lyoth. From January, 1954 through June, 1954, the United States Government and one other shipper were served, with three shipments being transported to or from Lathrop and 25 to or from Lyoth.

Representatives of two of the shippers named in Exhibits 13 and 16 testified in support of the application. The testimony of these witnesses indicated that they made shipments to Sharpe General Depot only when their companies had obtained contracts from the United States Government for the purchase of commodities produced by them. One witness stated the last shipment his company made was in 1952 and that it presently does not possess a contract with the United States Government. The other witness stated that the last shipment his company made was some three months prior to June, 1954, and that it did not presently have a contract with the United States Government.

Three other witnesses who deal in hardware, general merchandise, camp supplies and government surplus supported the application. Their testimony indicated that on occasions they are successful bidders at government surplus sales held at Sharpe General Depot and that they are required to transport their purchases therefrom to their places of business in Stockton or Tracy. They stated they desired applicant to render such service.

Employees and officials of Delta Lines, Inc., Miles Motor Transport System, Reilley Truck Line, Southern Pacific Company, Valley Motor Lines and Valley Express Company testified as to their services and the areas encompassed therein.

The evidence shows that there is presently available adequate highway common carrier service between Sharpe General Depot, Lathrop and Lyoth, and the points included within applicant's certificated area.

The record does not demonstrate that public convenience and necessity require that the application be granted, therefore it will be denied.

O R D E R

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

IT IS ORDERED:

- (1) That Application No. 35182 is denied.

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

Dated at San Francisco, California, this 23rd day of NOVEMBER, 1954.

*W. E. Mitchell*  
President  
*Justin J. ...*  
*Deane Higgins*  
*Paul ...*

Kenneth Potter being necessarily absent, did not participate in the disposition of this proceeding.

Commissioners