

Decision No: 51745

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 MERCHANTS EXPRESS CORPORATION, a)
 corporation, for an extension of its) Application No. 37009
 highway common carrier certificate)
 to serve additional points in the)
 Sonoma Valley.)

Douglas Brookman, for applicant.
William Meinhold and Frederick E. Fuhrman,
 for Southern Pacific Company and Pacific
 Motor Transport Company; Marvin Handler,
 for Nielsen Freight Lines, interested
 parties.

O P I N I O N

Merchants Express Corporation, presently rendering a highway common carrier service in an area from San Jose and Monterey on the south, Stockton and Sacramento on the east and Healdsburg, Calistoga and Redding on the north, requests authority to extend service from, to and between all points located on, or within three miles laterally, on each side of the following routes:

Between Sears Point and Santa Rosa via California Highways 37 and 12.

Between Schellville and California Highway 12 via unnumbered county highway through El Verano, Eldridge and Glen Ellen.

Between Petaluma and Sonoma via unnumbered county highway.

Between Petaluma and California Highway 37 via unnumbered county highway through Lakeville.

Between El Verano and Sonoma via unnumbered county highway.

Between Schellville and Napa via California Highways 37 and 12.

Between Sonoma and California Highway 37 via unnumbered county highway through Vineburg.

A public hearing was held before Examiner Thomas E. Daly on June 22, 1955, at San Francisco and the matter was submitted. No appearance was made in protest to the authority sought.

Applicant appears to possess the necessary facilities, equipment and financial ability to provide the proposed extended service.

As justification for the authority sought it is alleged that by Decision No. 45232, dated January 9, 1955, in Application No. 31450, applicant was authorized to extend service to Sonoma, El Verano and Boyes Springs; that applicant operates daily schedules over highways in the Sonoma Valley and wishes to be placed upon a competitive basis with existing permitted carriers and those that may subsequently be certificated pursuant to the recent so-called Policy Decision No. 50448.

The authority herein sought was originally made a part of Application No. 36606, filed January 3, 1955, which contains many proposed revisions and extensions. When Nielsen Freight Lines filed its application for similar authority within the Sonoma Valley, applicant filed the instant application so that both matters could be heard at the same time without undue delay.

After consideration the Commission is of the opinion and so finds that public convenience and necessity require the granting of the authority sought.

O R D E R

Application having been filed, a public hearing having been held thereon and based upon the evidence adduced therein;

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Merchants Express Corporation, authorizing it to operate as a highway common carrier for the transportation of general commodities except uncrated household goods, livestock, and liquid commodities in bulk in tank trucks, from, to and between all points located on, or within three miles laterally, on each side of the following routes:

Between Sears Point and Santa Rosa via California Highways 37 and 12.

Between Schellville and California Highway 12 via unnumbered county highway through El Verano, Eldridge and Glen Ellen.

Between Petaluma and Sonoma via unnumbered county highway.

Between Petaluma and California Highway 37 via unnumbered county highway through Lakeville.

Between El Verano and Sonoma via unnumbered county highway.

Between Schellville and Napa via California Highways 37 and 12.

Between Sonoma and California Highway 37 via unnumbered county highway through Vineburg.

(2) That the operative rights granted by Decision No. 45232, dated January 9, 1951, in Application No. 31450, are hereby revoked.

(3) That in providing the service herein authorized in paragraph (1) hereof, applicant shall observe the following service regulations:

(a) Within thirty days after the effective date hereof, applicant 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, applicant shall establish the service herein authorized and file, in triplicate, and concurrently make effective appropriate tariffs.

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

Dated at San Francisco, California, this 26th day of July, 1955.

Justin J. Calmes
President

Ronald L. Gellman

Michael J. Apple

B. Hardy

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.