

ORIGINAL

Decision No. 51749

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of NIELSEN FREIGHT LINES, a)
corporation, for a certificate)
of public convenience and neces-)
sity to operate as a highway)
common carrier.)

Application No. 36827

Marvin Handler, for applicant.
William Meinhold and Frederick E. Fuhrman,
for Southern Pacific Company and Pacific
Motor Transport Company, interested
parties.

O P I N I O N

Nielsen Freight Lines, presently rendering service as a highway common carrier generally between the Bay area, on the one hand, and points on U. S. Highway 101 between Novato and Santa Rosa and Sonoma, El Verano and Boyes Springs, on the other hand, requests authority to extend service between all points located on, or within three miles laterally on each side of the following routes:

Between Sears Point and Santa Rosa via State
Highways 37 and 12;

Between Schellville and Sonoma-Napa County line via
State Highways 37 and 12;

Between Schellville and Kenwood via unnumbered
County Highway through El Verano and Glen Ellen;

Between Sonoma and Petaluma via unnumbered County
Highways;

Between Sonoma and State Highway 37 via unnumbered
County Highways through Vineburg;

Between Stege and Black Point Cutoff via Ridge Road.

A public hearing was held before Examiner Thomas E. Daly on June 22, 1955, at San Francisco, and the matter was submitted. There was no appearance 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, 1951, in Application No. 31462, applicant was authorized to extend service to Sonoma, El Verano and Boyes Springs; that concurrently therewith similar authority was granted to Merchants Express Corporation; that Merchants Express Corporation has filed an application seeking an extension substantially the same as applicant herein proposes; that applicant presently conducts a daily service over routes in the Sonoma Valley and finds it uneconomical to operate through the territory without being able to provide service therein; that the situation has resulted in confusion on the part of customers and drivers; that on occasions when shipments are mistakenly accepted they are transported under applicant's permitted authority; that with the substantial growth of the area the problem is becoming more serious and that applicant should be permitted to enjoy the same competitive advantages as Merchants Express Corporation.

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 Nielsen Freight Lines, authorizing it to operate as a highway common carrier for the transportation of general commodities, except livestock, uncrated household goods, and liquid commodities in bulk in tank trucks, between all points located on, or within three miles laterally on each side of the following routes:

Between Sears Point and Santa Rosa via State Highways 37 and 12;

Between Schellville and Sonoma-Napa County line via State Highways 37 and 12;

Between Schellville and Kenwood via unnumbered County Highway through El Verano and Glen Ellen;

Between Sonoma and Petaluma via unnumbered County Highways;

Between Sonoma and State Highway 37 via unnumbered County Highways through Vineburg;

Between Stege and Black Point Cutoff via Ridge Road.

(2) The operative rights granted by Decision No. 45232, dated January 9, 1951, in Application No. 31462 and by Decision No. 46679, dated January 22, 1952, in Application No. 32148 are hereby revoked to the extent that they constitute a duplication of the authority herein granted.

(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.

James Z. Calver
President
Carl E. Steiner
William D. Kelly
R. H. Fung
Commissioners

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