

Decision No. 52112

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
PACIFIC FREIGHT LINES and PACIFIC)	
FREIGHT LINES EXPRESS to sell and)	
PACIFIC MOTOR TRUCKING COMPANY to)	Application No. 35802
purchase all franchises, permits,)	
operative rights, vehicles and)	
certain miscellaneous properties.)	

O P I N I O N

The petition of Pacific Freight Lines Express and Pacific Motor Trucking Company states:

1. That by Decision No. 50908, dated December 28, 1954, as extended by order dated August 9, 1955, Pacific Freight Lines and Pacific Freight Lines Express were authorized to lease to Pacific Motor Trucking Company, on or before December 31, 1955, certain operative rights more particularly described in said lease.

2. That by order of the Interstate Commerce Commission dated September 9, 1955, Pacific Freight Lines was authorized to lease all its operative rights and certain properties to Pacific Motor Trucking Company.

3. That the term of such lease, pursuant to its provisions, will cease on March 9, 1956.

4. That Pacific Freight Lines Express has been operated by Pacific Freight Lines for the sole purpose of transporting intrastate traffic as an express carrier as defined in Section 219 of the Public Utilities Code pursuant to Local and Joint Freight and Express Tariff No. 1 of Pacific Freight Lines and Pacific Freight Lines Express, Cal. P.U.C. No. 1, E. J. McSweeney, Agent.

5. That Pacific Motor Trucking Company believes that it may not as lessee of Pacific Freight Lines and Pacific Freight Lines Express operate both as a highway common carrier and as an express corporation.

6. That petitioners request the Commission to authorize the suspension of the operative rights and tariff of Pacific Freight Lines Express for the period during which Pacific Motor Trucking Company conducts operations under the lease of the operative rights and properties of Pacific Freight Lines.

7. That virtually all of the provisions and rates and charges provided in the above-mentioned tariff are set forth in the existing tariff of Pacific Freight Lines to be adopted by Pacific Motor Trucking Company; the only exception being that Fourth Revised Page 29 of said tariff lists certain points as to which joint rates will apply in connection with Pacific Freight Lines, Savage Transportation Company and Willig Freight Lines. That all of such points are served by Pacific Freight Lines and will be served by Pacific Motor Trucking Company as lessee of Pacific Freight Lines.

8. That there will be no substantial deprivation of service to the public by reason of the temporary suspension of the operative rights and tariff of Pacific Freight Lines Express.

Under the circumstances here disclosed the Commission is of the opinion that the petition should be granted.

ORDER

A petition having been filed, the Commission being of the opinion that the authority sought should be granted,

IT IS ORDERED:

(1) That Pacific Motor Trucking Company is authorized to suspend until March 10, 1956, the operative rights it acquired by lease from Pacific Freight Lines Express pursuant to the provisions of Decision No. 50908 dated December 28, 1954.

(2) That E. J. McSweeney, Agent, be and he is hereby authorized to publish and file, on not less than five days' notice to the Commission and the public, a supplement to his Local and Joint Freight and Express Tariff No. 1, Cal. P.U.C. No. 1, suspending until March 10, 1956, the rates, rules and regulations named therein in so far as they are applicable to Pacific Freight Lines Express.

The effective date of this order shall be the date hereof:

Dated at San Francisco, California, this 18th day of October, 1955.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]

Commissioners