



The record indicates that Valley is a large carrier with wide territorial coverage. It has the facilities and financial ability to provide the proposed, daily overnight extended service.

Valley's application was allegedly filed because of the extensive construction projects, which includes the installation of dams at Beardsley Damsite and Donnell Damsite. These projects will cost many millions of dollars and will be in the process of construction for approximately three years.

At the present time traffic originating with Valley is interchanged at Modesto with Sonora Freight Lines (hereinafter referred to as Sonora) under joint rate arrangements. The record shows that the service of Sonora has not been adequate. There have been many delays in transit and difficulties experienced with the collection of C.O.D. shipments. When construction work on the projects began Sonora was unable to handle the additional tonnage. Shipments, which could not be loaded upon Sonora's equipment, were left on the dock of Valley's Modesto terminal. The return on C.O.D. collections in many cases took as long as two months.

It was stated in explanation by Sonora that much of the trouble was attributable to the loss of one piece of equipment, a strike in the trucking industry during May of 1955, and inexperienced, as well as insufficient, office help.

Burnette has operated a Van and Storage business in Sonora for sixteen years. Since September of 1955, he has conducted a permitted operation between Sonora and the damsites. He owns and operates six pieces of equipment and leases three others. He proposes daily, 24-hour service between the proposed points.

He primarily picks up shipments from the Sierra Railroad Company (hereinafter referred to as Sierra) terminal in Sonora. For the most part these shipments originate at points served by Pacific Motor Trucking Company. Under a lease arrangement with the Sierra

Railroad Company said shipments are provided a through truck movement to Sonora. Those shipments destined to the damsites are turned over to Burnette for delivery. The Project Manager for Beardsley Damsite testified that Burnette is frequently called upon to transport emergency shipments on short notice.

Although Sierra is primarily engaged in a rail service for the transportation of lumber over approximately sixty miles of track between Oakdale and Tuolumne it also provides a supplemental certificated truck service. Its protest was primarily directed toward that portion of Valley's proposed service which would constitute a duplication of such truck service. It presently is authorized to operate as a highway common carrier between Stockton and Sonora and intermediate points east of Oakdale and between Sonora, Columbia, Soulsbyville and Tuolumne. The adequacy of this service was strongly supported by public witness testimony.

The protest of California Motor Transport Co., Ltd., and California Motor Express Co., Ltd., (hereinafter referred to as C.M.T.) was predicated upon Application No. 37370, a joint filing by Sonora and C.M.T., wherein authority is sought to transfer the operative rights and property of Sonora to C.M.T.

The record indicates a present need for a through service on shipments originating at points served by Valley and destined to the proposed area. Interchange of shipments has resulted in delays and complaints from the shipping public. It also indicates that Sierra is providing an adequate local truck service. The certificate hereinafter granted to Valley therefore will be accordingly restricted. The record further indicates a need for the type of service proposed by Burnette.

After consideration the Commission is of the opinion and so finds that public convenience and necessity require that the applications be granted as hereinafter set forth in the order.

O R D E R

Application having been filed, a public hearing having been held thereof,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Valley Motor Lines, Inc., authorizing it to operate as a highway common carrier for the transportation of general commodities, except uncrated household goods and livestock, between the points and over the routes set forth in Appendix A attached hereto and by reference made a part hereof.

(2) That a certificate of public convenience and necessity is hereby granted to Paul Burnette authorizing him to operate as a highway common carrier for the transportation of general commodities, excluding cement, livestock, uncrated household goods and explosives between the points and over the routes set forth in Appendix B attached hereto and by reference made a part hereof.

(3) That in providing the service herein authorized in paragraphs (1) and (2) hereof, applicants shall observe the following service regulations:

- (a) Within thirty days after the effective date hereof applicants shall file written acceptances of the certificates 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, applicants shall establish the

services herein authorized and shall 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 28<sup>th</sup> day of December, 1955

*W. E. Marshall*  
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 President

*Justin B. Phillips*  
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*Paul G. Lutz*  
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*Maxwell Dooly*  
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Commissioners

Commissioner Rex Hardy, being necessarily absent, did not participate in the disposition of this proceeding.

Decision No. 52424  
Date DEC 2-5-1955  
Application No. 37188

Valley Motor Lines

APPENDIX A

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Between all points which Valley Motors Lines, Inc., is presently authorized to serve, except Stockton, on the one hand, and points and places on and along California State Highways 120 and 108, between Oakdale and Donnell Damsite, including the off-route points of Knights Ferry, Tuolumne, Standard, Soulsbyville, Pinecrest, Beardsley Damsite, Donnell Warehouse and Donnell Damsite.

Decision No. 52124  
Date DEC 28 1955  
Application No. 37297

Paul Burnette

APPENDIX B

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Between Sonora, on the one hand, and Beardsley  
and Donnell Damsites, on the other hand, via California  
State Highway 108.