

Decision No. 53068**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of VALLEY MOTOR LINES, INC., a)	
corporation, for an extension)	
of its highway common carrier)	Application No. 37188
certificates to include service)	
between OAKDALE, DONNELL DAMSITE,)	
and all intermediate points.)	

ORDER DENYING PETITIONS FOR REHEARING,
RECONSIDERATION AND ORAL ARGUMENT
BEFORE THE ENTIRE COMMISSION

Protestants Sierra Railroad Company, Pacific Motor Trucking Company, Southern Pacific Company, California Motor Express Company, Ltd., and California Motor Transport Company, Ltd., have filed petitions for rehearing, reconsideration and oral argument before the entire Commission respecting the portion of Decision No. 52424, rendered herein on the 28th day of December, 1955, whereby Valley Motor Lines, Inc., was granted an extension of its certificate of public convenience and necessity to operate as a highway common carrier between the points and places and subject to such restrictions as in said decision authorized and prescribed. Rehearing was not requested by any party with respect to the part of Decision No. 52424 whereby a certificate of public convenience and necessity was granted to Paul Burnette under Application No. 37297, which had been consolidated for hearing with the above-entitled proceeding.

The Commission has carefully considered the points raised in said petitions. The points therein raised for the most part restate the matters contended for during the hearing of these

proceedings. No useful purpose would be served by restating what has already been said.

The Sierra Railroad contends that Decision No. 52424 is in error in stating that its protest was primarily directed toward that portion of Valley's proposed service which would constitute a duplication of Sierra's certificated truck service. The Commission's decision in this respect will be clarified and amplified.

Sierra Railroad's petition for rehearing states that its protest was and is directed to the entire application of Valley Motor Lines. Decision No. 52424 protected Sierra's local truck service, performed in its entirety east of Oakdale, by omitting such rights from the grant to Valley. Sierra's certificated truck services includes the right to operate to and from Stockton. This right is protected by a specific restriction. That means that Sierra's protest is now focused on service such as it performed jointly with Pacific Motor Trucking Company from areas other than Stockton. Since Sierra's exhibits pointed to the excellence of this service there is reason to believe it will be retained by Sierra and its connecting carriers.

The petition for rehearing of California Motor Transport Company and its affiliate depends primarily on their status as successor to Sonora Freight Lines, and will be denied. Neither the evidence on which the Commission based its finding of convenience and necessity, nor the evidence relating to the operating failures of Sonora Freight Lines, are confined to the relatively short

period of the truck strike in 1955.

In the light of the foregoing, said petitions for rehearing and reconsideration, as supplemented and amended, are hereby denied.

Dated at Los Angeles, California, this 15th day of May, 1956.

E. N. Mitchell
President
Justice J. C. ...
Paulo ...
...
R. ...
Commissioners