

ORIGINALDecision No. 54591

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ARTHUR D. PAXTON, an individual,)
 doing business as PAXTON TRUCK)
 COMPANY, for an in lieu certificate)
 of public convenience and necessity) Application No. 35919
 to operate as a highway common)
 carrier of specified iron and steel)
 and other commodities between)
 various points and places in)
 California.)

Arthur H. Glanz, for applicant.
A. R. Reader, for Desert Express; H. J. Bischoff,
 for Southern California Freight Lines, Southern
 California Freight Forwarders, California Motor
 Express, Ltd., California Motor Transport Co., Ltd.,
 and Coast Line Truck Service, Inc.; Willard S.
Johnson, for J. A. Nevis Trucking, Inc.;
Lloyd R. Guerra, for Western Truck Lines; and
Frederick W. Mielke, for Delta Lines, Inc.;
 protestants.

O P I N I O N

Arthur D. Paxton is engaged in the transportation of property in California pursuant to permits and certificates of public convenience and necessity issued by this Commission.

Applicant seeks an order authorizing him to extend his service as a highway common carrier for the transportation of certain named commodities, generally throughout the State of California.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

A public hearing was held at Los Angeles on December 6, 1956 before Examiner Carl Silverhart.

Protestants did not present any testimony but engaged in cross-examination of applicant.

Upon consideration of the allegations of the application, the representations filed pursuant to the above-mentioned notice and the evidence adduced at the hearing, the Commission finds that public convenience and necessity require that the application be granted to the extent set forth in the ensuing order.

O R D E R

A public hearing having been held and based upon the evidence adduced therein and the application and representations filed herein,

IT IS ORDERED:

(1) That subparagraphs (a) through (h) of ordering paragraph (1) of Decision No. 43969, in Application No. 30511, as amended by Decision No. 44001, in Application No. 30511, are deleted and there are substituted in lieu thereof the following:

1. Iron and steel and iron or steel articles including tinsplate.
2. Aluminum, brass, bronze, copper, lead, magnesium, tin, zinc and other non-ferrous metals, and articles manufactured therefrom not further finished than bars, castings, forgings, pigs, plates, shapes, sheets or structural components.
3. Clay and clay products including calcined magnesite, crude or roasted dolomite and other commodities normally manufactured and shipped in straight or mixed shipments by clay products mills or manufacturing plants.
4. Heavy machinery and machinery parts, and heavy electrical equipment and supplies and parts thereof.
5. Oil, water, or gas well outfits and supplies, and other articles, as described in Item 365 on Third Revised Page 38-A of Minimum Rate Tariff No. 2.

6. Machinery, equipment, materials and supplies used in the drilling, maintenance or operation of wells for the production of water, petroleum, or natural gas.
7. Construction and road building equipment, machinery, materials and supplies, and contractors equipment, used in the construction or erection of bridges, roads or highways, power transmission lines or power production projects, sewer or sewerage disposal projects, aqueducts, pipe lines, oil refineries or processing plants, iron or steel mills or processing plants, fabricated steel or metal building and other structures.
8. Empty pallets or empty containers returning or to be returned.

(2) That the restrictions (a) and (b) contained in ordering paragraph (1) of said Decision No. 43969 and set forth on mimeograph page 8 thereof are deleted therefrom.

(3) That in providing service pursuant to the certificate herein granted, applicant shall comply with and 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. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that he will be required, among other things, to file annual reports of his operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 99. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 99, may result in a cancellation of the operating authority granted by this decision.

(b) Within sixty days after the effective date hereof, and on not less than ten days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

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

Dated at San Francisco, California, this 25th day of February 1957.

[Signature]
President
[Signature]
[Signature]
[Signature]

Commissioners

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