

**ORIGINAL**Decision No. 55376

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 DELTA LINES, INC., a corporation, for )  
 a certificate of public convenience ) Application No. 38801  
 and necessity to extend its highway )  
 common carrier operations and for )  
 removal of restrictions. )

In the Matter of the Application of )  
 INTERLINES MOTOR EXPRESS, a corpora- )  
 tion, for a certificate of public ) Application No. 38845  
 convenience and necessity to extend )  
 its highway common carrier operations.)

Frederick W. Mielke for applicant, Delta  
 Lines, Inc.  
Clair W. MacLeod for applicant, Interlines  
 Motor Express.  
Otis J. Gibson for Western Pacific Railroad  
 Company, protestant.

O P I N I O N

Delta Lines, Inc., by its application filed February 21, 1957, seeks certain extensions and the removal of certain restrictions. All of the requested relief was granted by Decision No. 54863, dated April 16, 1957, in Application No. 38801, except the right to extend service from Oroville to Pulga. The application of Interlines Motor Express filed February 21, 1957, seeks authority to extend service between said points of Oroville and Pulga.

Public hearing was held on June 25, 1957, in San Francisco before Examiner Rowe. Both applications were amended at this hearing to include a request to serve ten miles laterally of the present U. S. Highway 40 Alternate formerly known as State Highway 24. Evidence was adduced in favor of both applications and operating testimony was produced by protestant and both matters duly submitted.

In addition to the operating testimony of applicants, they produced twelve public witnesses who represented substantial shippers in the Bay Area who testified that there is a public need for the proposed service of both applicants. Neither applicant possesses equipment designed to carry bulk shipments of rock, sand, gravel or cement. Interlines Motor Express does not request authority to carry such freight as it has no such authority elsewhere; but Delta Lines, Inc., possesses certificates of public convenience and necessity to transport such bulk shipments. There is a need for this type shipments so that the authority granted to Delta Lines, Inc., will include such shipments.

The Commission finds that public convenience and necessity require that Interlines Motor Express and Delta Lines, Inc., be authorized to extend their service between Oroville and Pulga and that such extended service be consolidated with the present service of said highway common carriers between other points in the State.

#### O R D E R

Applications therefor having been filed, public hearing having been held and based upon the findings and conclusions in the above opinion,

IT IS ORDERED that:

(1) A certificate of public convenience and necessity is hereby granted to Delta Lines, Inc., authorizing the establishment and operation of service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of property, as an extension and enlargement of and consolidation with

its other operative rights over and along the route and between points as set forth in Appendix A attached hereto and by reference made a part hereof.

(2) A certificate of public convenience and necessity is hereby granted to Interlines Motor Express, authorizing the establishment and operation of service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of property, as an extension and enlargement of and consolidation with its other operative rights over and along the route and between points as set forth in Appendix B attached hereto and by reference made a part hereof.

(3) In providing service pursuant to the respective certificate herein granted to it each applicant shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. By accepting the certificates of public convenience and necessity herein granted, applicants are placed on notice that they will be required, among other things, to file annual reports of their 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, applicants shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

The effective date of this decision shall be twenty days after the date hereof.

Dated at San Francisco, California, this 5th day of August, 1957.

[Signature]  
 President

[Signature]

[Signature]

[Signature]

Commissioners

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

Delta Lines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities between Oroville and Fulga over and along U. S. Highway 40 Alternate formerly known as State Highway 24 as said highway is at present and as it may be modified, and to serve off route points ten miles laterally from the present unaltered highway over and along any public highway or road.

Applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
2. Automobiles, trucks and buses, viz.; new and used, finished or unfinished passenger automobiles ( including jeeps ), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.
3. Livestock, viz.; bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerated equipment.
5. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.

Issued by California Public Utilities Commission.

Decision No. 55376, Application No. 38801.

6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

Issued by California Public Utilities Commission.

Decision No. 55376, Application No. 38801.

Interlines Motor Express, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities except sand, rock, gravel and cement in bulk between Oroville and Pulga over and along U. S. Highway 40 Alternate formerly known as State Highway 24 as said highway is at present and as it may be modified and to serve off route points ten miles laterally from the present unaltered highway over and along any public highway or road.

Applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
2. Automobiles, trucks and buses, viz.; new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.
3. Livestock, viz.; bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerated equipment.
5. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.

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6. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

Issued by California Public Utilities Commission.

Decision No. 55376, Application No. 38845.