

ORIGINAL

Decision No. 55398

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WESTERN TRUCK LINES, LTD., a cor-)
poration, for a certificate of pub-)
lic convenience and necessity to)
operate as a highway common carrier)
for the transportation of property)
as herein described.)

Application No. 38829

Glanz & Russell by Theodore W. Russell
and Lloyd R. Guerra, for applicant.

William Meinhold and Frederick E. Fuhrman,
for Pacific Motor Trucking Co. Appearance
as a protestant subsequently withdrawn.

Joe Saia, for Joe Saia Truck Lines; C. M. Loer
and Roy J. Christensen, for Peavine Transfer
and Warehouse Co., protestants.

O P I N I O N

Western Truck Lines, Ltd., presently rendering service as a highway common carrier between many points in the State, requests authority to extend its operations to points and places in the Lake Tahoe area.

A public hearing was held before Examiner Thomas E. Daly at San Francisco and Tahoe City. The matter was submitted on June 12, 1957, and is now ready for decision.

Applicant is presently rendering service to the lower part of Lake Tahoe by virtue of certain interstate authority. Service is provided to points on U. S. 99 between Los Angeles and Sacramento and points between Sacramento and Stateline by operating via U. S. 99 to Sacramento, thence via U. S. 40 to Reno, Nevada, thence via U. S. 395 and 50 to points between Stateline and Sacramento. Applicant also transports traffic over the above-mentioned interstate routes to

and from Reno, Nevada, and at that point interchanges traffic destined to or originating from points on the Lake north of Tahoe Valley.

Applicant proposes a daily overnight service during the summer months, and triweekly service during the balance of the year. The record demonstrates that if authorized applicant possesses the necessary financial ability as well as the necessary equipment and facilities to conduct the service as proposed.

Many public witnesses, both shippers and receivers, testified that the existing services are slow. It is attributable to the fact that shipments are interchanged at either Sacramento or Reno, which results in second-day delivery. To many, such service is inadequate particularly during the summer months. The Lake Tahoe area, it was stated, has experienced a tremendous growth and development in recent years with the addition of many new motels and resorts.

Particular reference was made to the expected development planned for Squaw Valley, which will be the site of the 1960 Winter Olympics.

The only active protest was made by Joe Saia, doing business as Joe Saia Truck Lines, who presently operates a certificated service between Sacramento and the Tahoe area. Mr. Saia interchanges shipments at Sacramento with other certificated carriers on a joint rate basis. Many witnesses called on his behalf praised his service highly because of its personalized nature and reliability. For the most part they were satisfied with second-day delivery.

After consideration, the Commission is of the opinion and so finds that public convenience and necessity require the granting of the authority sought.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Western Truck Lines, Ltd., authorizing the transportation of property as a highway common carrier as defined by Section 213 of the Public Utilities Code between the points and over the routes set forth in Appendix A attached hereto and by reference made a part hereof.

(2) 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 it will be required, among other things, to file annual reports of its 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 twenty days after the date hereof.

Dated at San Francisco, California, this 13th day of August, 1957.

John E. ...
President
...
R. Hardy
E. ... Fox
Commissioners

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

Western Truck Lines, Ltd., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities between:

- A. Al Tahoe and Tahoe Valley, on the one hand (on U. S. Highway 50), and, on the other hand, all points and places within five miles of Lake Tahoe, including Squaw Valley (on State Route 89), and intermediate points via all numbered or unnumbered highways or roads.
- B. The San Francisco Territory as described in Item No. 270-3-A of the Commission's Minimum Rate Tariff No. 2, on the one hand, and, on the other hand, all points and places east of Pacific House (including Pacific House) to and including Fallen Leaf Lodge (via Tahoe Valley) and Stateline (U. S. Highway 50) via U. S. Highways 40 or 50 to Sacramento, thence via U. S. Highway 50.
- C. Points and places on U. S. Highway 99, Bakersfield to Sacramento, subject to Note 1, on the one hand, and, on the other hand, points and places east of Pacific House (including Pacific House) to and including Fallen Leaf Lodge and Stateline (U. S. 50) or via U. S. 99 to Sacramento, thence via U. S. 50 or via U. S. 99 to Stockton, thence via California Highways 50, 88, 104, 16 and 49 to Placerville, thence via U. S. 50.

Note 1 - Including points and places within five miles of U. S. 99 and within five miles of the city limits of Modesto, Fresno or Stockton.

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, bus chassis.

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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.
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.

End of Appendix A

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