

Decision No. 57342**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 INTERSTATE FREIGHT CARRIERS' CONFERENCE,)
 INC., AGENT)
 to establish Substituted Freight Service)
 For account of:)
 DI SALVO TRUCKING CO.) Application No. 40335
 SOUTHERN PACIFIC COMPANY)
 For an order to maintain authorized)
 departures from the provisions of Article)
 XII, Section 21, of the Constitution of)
 the State of California and Section 460)
 and 491 of the Public Utilities Code.)

OPINION AND ORDER

Interstate Freight Carriers' Conference, Inc., Agent, publishes, on behalf of its members, tariffs setting forth rates, rules and regulations for the transportation of property between points within California, and between California, on the one hand, and interstate points, on the other. The Conference membership consists of common carriers by motor vehicle, by water, and by railroad.

By this application the Conference seeks authority to publish, on less than statutory notice, rules and regulations necessary to permit Di Salvo Trucking Co. to avail itself of trailer-on-flatcar facilities of Southern Pacific Company, as a substituted rail-for-highway common carrier service, between Los Angeles, on the one hand, and San Francisco, San Jose, and Mulford, on the other.¹ Di Salvo Trucking Co. possesses a certificate of public convenience and necessity from this Commission authorizing service between the points for which substituted service authority is herein sought. Authority is also sought to depart from the long-and-short-haul provisions of the Constitution of the State of California and the Public Utilities Code in connection with rates that are presently maintained for account of Di Salvo Trucking Co. under outstanding long-and-short-haul authorities.

¹ Mulford is located in Alameda County.

The application proposes that Southern Pacific Company will substitute its service for that of Di Salvo Trucking Co. at the option of the latter, and at the rates published for the account of Di Salvo Trucking Co. for service performed entirely by truck. The proposed tariff publication would provide that if the shipper so directs, rail substituted service will not be used.

According to the application, substitution of trailer-on-flatcar service for motor carrier service, as herein sought, will be in the best interests of the carriers concerned and of their shippers. The application points out that the Commission recently granted similar authority to Consolidated Freightways, Inc., Culy Transportation Co., Inc., Pacific Intermountain Express Co., Shippers Express Company, Watson Bros. Transportation Co., Inc., and Willig Freight Lines. (Decision No. 56621, dated April 29, 1958, in Application No. 39921)

The application shows that on or about August 8, 1958, competing carriers were notified of the filing of the application. No objection has been received to its being granted.

In the circumstances, it appears, and the Commission finds, that the establishment of the substituted service, on ten days' notice, will not be adverse to the public interest. The application will be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED:

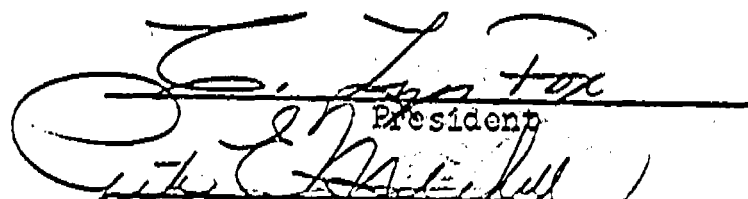
(1) That Interstate Freight Carriers' Conference, Inc., is hereby authorized to publish, on behalf of Di Salvo Trucking Co. and Southern Pacific Company, on not less than ten days' notice to the Commission and to the public, tariff provisions for substitute rail service as proposed in Application No. 40335.

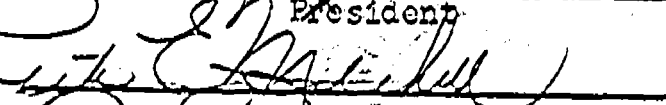
(2) That applicants are hereby authorized to depart from the long-and-short-haul provisions of Article XII, Section 21, of the Constitution of the State of California and Section 460 of the Public Utilities Code in connection with rates that are presently maintained for the account of Di Salvo Trucking Co. under outstanding long-and-short-haul authorities.

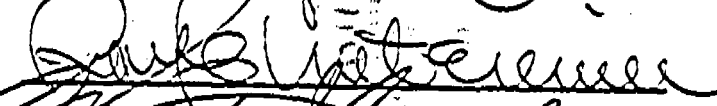
(3) That the authority herein granted shall expire unless exercised within ninety days after the effective date hereof.


This order shall become effective twenty days after the date hereof.

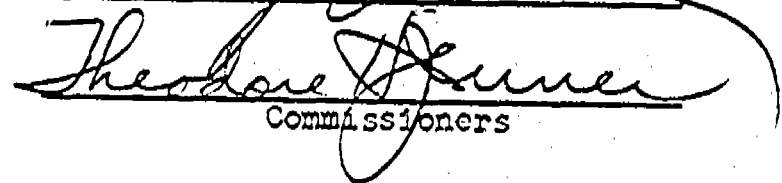
Dated at San Francisco, California, this 15th day of September, 1958.



President








Commissioners