

Decision No. 57498**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 JACK L. ANDERSON and HAZEL ANDERSON,
 a copartnership, doing business as
 ANDERSON CARTAGE AND WAREHOUSE COMPANY,
 for a certificate of public convenience
 and necessity to operate as a highway
 common carrier for the transportation
 of general commodities between Modesto,
 Turlock, Oakdale, Riverbank, Escalon
 and certain intermediate points along
 U.S. Highway 99.

Application No. 38867

Marquam C. George, for applicants.

F. S. Kohles, for Valley Express Co. and Valley Motor Lines, Inc.; Robert C. Ellis, for California Motor Transport Co., Ltd. and California Motor Express, Ltd.; and Francis X. Vieira, for Reilly Truck Line, Dicks Transportation, De Boer Truck Line, protestants.

F. E. Fuhrman, for Southern Pacific Company and Pacific Motor Trucking Co.; and Willard S. Johnson, for Karlson Bros. Trucking Service and J. Christenson Co., interested parties.

O P I N I O N

Jack L. Anderson and Hazel Anderson, doing business as Anderson Cartage and Warehouse Company, and presently rendering service as a highway common carrier between Stockton and Modesto, request authority to extend their service between Modesto, Turlock, Oakdale, Riverbank, Escalon and intermediate points and points intermediate between Modesto and Stockton.

Public hearing was held before Examiner Daly at Stockton on May 28 and August 20, 1957, and the matter submitted.

Applicants have been engaged in the cartage and warehouse business since 1941. By Decision No. 53583, dated August 7, 1956, in Application No. 36335, and as amended by Decision No. 54090 dated November 19, 1956, they were granted a certificate to operate as a

highway common carrier between Stockton and Modesto. They own and operate approximately twenty-four pieces of equipment and maintain a terminal in Stockton. Two daily schedules are maintained with additional schedules being provided as needed. The same service is proposed to the extended area. As of September 30, 1956, applicants indicated a net worth of \$62,639.82.

Public witnesses testifying on behalf of applicants stated that they use applicants' presently certificated service and find it completely satisfactory. They presently ship to the proposed extended area and desire applicants' proposed certificated service made available to them. The features of the proposed service which particularly appealed to them were the twice-daily service, same-day service and split-delivery privileges. One witness stated that his company warehouses a large amount of coffee with applicants. Orders are filled by applicants from the stock on hand and then delivered. Another witness, testifying on behalf of a Stockton company engaged in the manufacture of transmissions and heavy material handling equipment, stated that applicants' same-day service was of particular importance in time of emergency repairs.

Protestants introduced evidence relative to their operations. They contend that the existing services are adequate and the contention may be correct insofar as their customers are concerned. However, applicants' customers, because of their particular business needs, require a carrier that provides a same-day service.

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 Jack L. Anderson and Hazel Anderson, doing business as Anderson Cartage and Warehouse Company, authorizing the transportation of property as a highway common carrier between the points and over the routes as set forth in Appendix A attached hereto and by reference made a part hereof.

(2) That Second Revised Page 1 (attached hereto as Appendix A) hereby cancels and is substituted in the place and stead of First Revised Page 1 of Appendix A attached to Decision No. 54090 dated November 19, 1956, in Application No. 36335.

(3) That in providing the service herein authorized applicants shall 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 certificate 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 to 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 order shall be twenty days after the date hereof.

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

E. L. Fox
President

J. S. Mitchell

W. B. McEwen

Theodore Jensen
Commissioners

Jack L. Anderson and Hazel Anderson, doing business as Anderson Cartage and Warehouse Company, by the certificate of public convenience and necessity granted in the decision noted in the margin, are authorized to transport general commodities, excepting:

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 semiplastic 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.
8. Logs.

To, from and between:

Stockton and Turlock and intermediate points via U.S. Highway 99 and between Manteca and Modesto and intermediate points via State Highway 120 and unnumbered county road between Oakdale and Modesto via Riverbank.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 57480, Application No. 38867.