

ORIGINAL

Decision No. 57557

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations and practices of BLANKENSHIP MOTORS, INC., a corporation.

Case No. 6073

In the Matter of the Application of BLANKENSHIP MOTORS, a corporation, for a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of property.

Application No. 36012

In the Matter of the Application of BLANKENSHIP MOTORS, INC., a corporation, for suspension of a portion of its certificate of public convenience and necessity.

Application No. 39369

Bertram S. Silver, for Blankenship Motors, Inc., applicant and respondent.
J. C. Kaspar, A. D. Poe and J. X. Quintrall, for California Trucking Associations, Inc., interested party.
Martin J. Porter, for the Commission staff.

O P I N I O N

By Application No. 39369, Blankenship Motors, Inc., sought suspension of its common carrier certificate for a period of two years insofar as the transportation of liquid bleach is involved. Decision No. 56184, dated January 28, 1958, in that proceeding, suspended liquid bleach from the certificate until September 1, 1958.^{1/} The decision stated: "It is thus apparent, and the Commission so finds, that public convenience and necessity do not require applicant's service for the transportation of liquid bleach. The facts here disclosed raise the question whether the transportation of other commodities named in applicant's certificate is truly

^{1/} The suspension was extended to September 1, 1959 by Decision No. 57196, dated August 19, 1958.

highway common carriage. Accordingly, an investigation will be instituted to determine the nature of applicant's operations." Accordingly, Case No. 6073, Order Instituting Investigation, was issued by the Commission on March 11, 1958. At the same time, Applications Nos. 36012 and 39369 were reopened for further hearing.^{2/}

A public hearing was held before Examiner William E. Turpen on September 10, 1958 at San Francisco. Evidence was presented at that time by the Commission's staff. Respondent requested an adjourned hearing to present its evidence and the matter was adjourned to a later date. By letter received September 26, 1958, respondent informed the Commission that it was willing to submit the matter on the record made at the hearing.

An assistant transportation rate expert, on the Commission's staff, testified with regard to the investigation he had made of Blankenship Motors' operations. His study consisted of an analysis of respondent's waybills for the first six months of 1953, tabulated with respect to whether or not each shipment was within the scope of the certificate granted by Decisions Nos. 52001 and 52291. No study was made of respondent's present methods of operation.

The results of the investigation made by the Commission's staff do not provide any basis for ordering any modification or amendment of respondent's certificate. As stated in Decision No. 56184, it was found that public convenience and necessity do not require respondent's service for the transportation of liquid bleach, and, accordingly, that commodity will be canceled from the certificate. In all other respects, Case No. 6073 will be discontinued.

^{2/} Application No. 36012 is the application proceeding in which the operating rights here involved were granted to Blankenship Motors by Decision No. 52001, dated September 27, 1955, as amended by Decision No. 52291, dated November 29, 1955.

O R D E R

Based on the evidence of record and on the findings and conclusions set forth in the preceding opinion,

IT IS ORDERED:

1. That Appendix A of Decision No. 52001, dated September 27, 1955, as amended by Decision No. 52291, dated November 29, 1955, in Application No. 36012, and by Decision No. 57117, dated August 5, 1958, in Application No. 39785, be and it is hereby further amended by incorporating therein Second Revised Page 2.

2. That Blankenship Motors, Inc., shall amend its tariffs, on not less than five days' notice to the Commission and to the public, to reflect the change made in paragraph 1 hereof.

3. That Case No. 6073 be and it is hereby discontinued.

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

Dated at San Francisco, California, this 3rd day of November, 1958.

E. L. Fox
President

W. E. Mitchell

W. E. Mitchell

W. E. Mitchell

W. E. Mitchell
Commissioners

- (h) State Highway 152 between Gilroy and Chowchilla.
 - (i) State Highways 41 and 466 between Paso Robles and Famoso.
 - (j) State Highway 299 between Redding and Arcata.
- (2) Canned goods, truck wheels, printed matter, pallets, peanut butter, coffee, ink, household laundry drying and washing machines, wet storage batteries, fire extinguishers, tractor harness, electric ranges, lubricating grease (regular), lubricating oil, auto and auto body parts, TV sets, pliofilm bags, shakes, paint, as follows:
- (a) U.S. Highways 101 and 101 Alternate between San Diego and San Francisco and intermediate points.
 - (b) U.S. Highway 99 between Los Angeles and Sacramento and intermediate points.
 - (c) U.S. Highway 66 between Los Angeles and San Bernardino and intermediate points.
 - (d) U.S. Highways 60, 70 and 99 between Los Angeles and Colton and intermediate points.
 - (e) Between Los Angeles and Riverside via U.S. Highway 60 and intermediate points.
 - (f) U.S. Highway 50 and State Highway 120 between Oakland and Manteca for operating convenience.
 - (g) State Highway 152 between Gilroy and Chowchilla for operating convenience.
 - (h) State Highways 41 and 466 between Paso Robles and Famoso for operating convenience.
 - (i) Between Oakland and Alameda, on the one hand, and all points authorized to be served above, on the other hand.
 - (j) State Highways 9, 17 and Eastshore Freeway between Oakland and San Jose for operating convenience only.

Issued by California Public Utilities Commission.

Decision No. 57557, Application No. 39369.