

Decision No. 58948

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 TRUCK CO.)
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.)

Application No. 41381

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 hand. 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 substitute for highway service between Los Angeles, on the one hand, and Fresno and Stockton, on the other hand.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

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Di Salvo Trucking Co. currently has authority for the type of service herein sought between Los Angeles, on the one hand, and Mulford, San Francisco, and San Jose, on the other hand. (Decision No. 57342 of September 15, 1958, in Application No. 40335)

to depart from the long-and-short-haul provisions of the Public Utilities Code in connection with rates that are currently maintained for account of Di Salvo Trucking Co. under outstanding long-and-short-haul authorities. ✓

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 shows that on or about August 6, 1959, a copy was served on the California Trucking Associations, Inc. 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. 41381. ✓

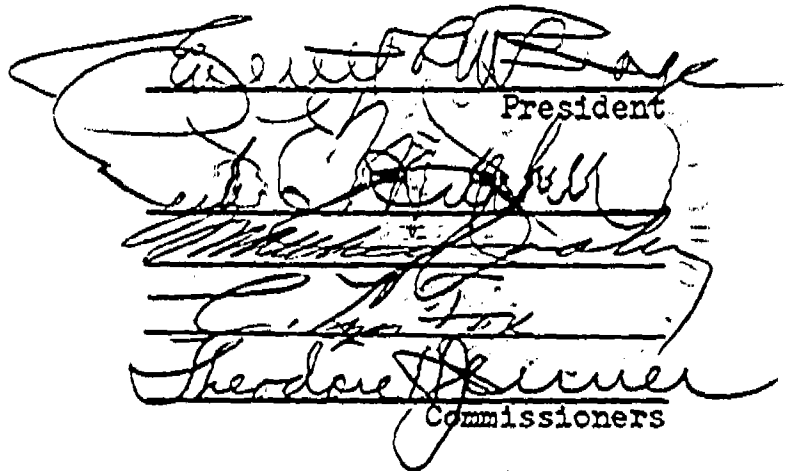
(2) That applicants are hereby authorized to depart from the long-and-short-haul provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 460 of the

Public Utilities Code in connection with rates that are currently 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 1st day of September, 1959.


President
Commissioners