

ORIGINALDecision No. 59398

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of RICHARD W. THORNHILL, an
individual, doing business as
T & S MOTOR EXPRESS LINES, for
an extension of his certificate
of public convenience and necessity
as a highway common carrier.

Application No. 41358

E. H. Griffiths, for applicant.
Marvin Handler for Nielsen Freight Lines and Antoni
Freight Lines, protestants.

O P I N I O N

By this application Richard W. Thornhill requests a certificate of public convenience and necessity authorizing him to operate as a highway common carrier into an expanded area which will more closely correspond to the market of his shipper customers.

Public hearing was held in Santa Rosa on November 2, 1959, before Examiner Rowe. Evidence both oral and documentary was adduced and the matter was duly submitted for decision. During the hearing, counsel for applicant and protestants entered into a stipulation whereby the application was amended so as to request service only to the points and over the routes set forth in the following order.

Evidence of the public need for this service is uncontradicted. The Commission therefore is of the opinion and finds that public convenience and necessity require service to the points and over the routes as hereinafter authorized. The requested relief will be granted by adding new pages to Appendix A to Decision No. 52217, dated November 7, 1955, in Application No. 36120.

O R D E R

Application therefor having been filed and a public hearing having been held and based upon the above finding,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is granted to Richard W. Thornhill, doing business as T & S Motor Express Lines, authorizing him to operate as a highway common carrier, as defined in Section 213 of the California Public Utilities Code, for the transportation of commodities as enumerated and defined in Decision No. 52217, dated November 7, 1955, in Application No. 36120, between the points and over the routes set forth in Appendix A hereto attached and by reference made a part hereof, the new rights granted hereby to be consolidated and operated in conjunction with his present rights.

2. That to carry out the provisions of the preceding ordering paragraph, Appendix A to said Decision No. 52217 is amended by adding Original Pages 3 and 4, both pages as appear in Appendix A attached hereto and by reference made a part hereof.

3. In providing service pursuant to the respective certificate herein granted to it, 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 he will be required, among other things, to file annual reports of his 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, applicant shall establish the service herein authorized and shall 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 November, 1959.

Everett R. Page
President
John E. ...
W. ...
E. ... Fox
Herbert ...
Commissioners

Richard W. Thornhill, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport property as described and enumerated in Decision No. 52217 dated November 7, 1955, in Application No. 36120, between the points and over the routes as follows:

- A. Between Vallejo and Calistoga and intermediate points on State Highway 29 and Santa Rosa and points within ten miles of Santa Rosa, on the one hand, and on the other, points on:
1. State Highway 37 between Ignacio and Napa.
 2. State Highway 12 between Napa (via Santa Rosa) and Jenner.
 3. State Highway 29 between Vallejo and Upper Lake.
 4. State Highways 53 and 20 between Middletown and Upper Lake.
 5. Unnumbered highway between Clear Lake Oaks and Lower Lake.
 6. State Highway 20 between Upper Lake and Calpella, including all points located within three miles laterally thereof.
 7. State Highway 48 between Sears Point and Vallejo.
 8. Mark West Road between Calistoga and intersection U. S. 101 near Fulton.
 9. State Highway 128 between Calistoga and Geyserville.
 10. State Highway 1 between Jenner and intersection U. S. 101 at Mt. Tamalpais Valley Junction.
 11. Behemian Highway and unnumbered highway between Monte Rio and Valley Ford.
 12. Bodega Highway between Sebastopol and Bodega Bay.
 13. Gravenstein Highway between Sebastopol and Cotati.

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- B. Between San Rafael and Willits and intermediate points on U. S. Highway 101; and between Vallejo and Calistoga and intermediate points on State Highway 29 on the one hand, and on the other, points on U. S. Highway 101 between San Rafael and Willits, inclusive.

Restrictions

1. Service at Cloverdale to be limited to transportation of commodities which applicant is authorized to transport by its present certificate.
2. Applicant shall not establish through routes and joint rates, charges, and classifications as to the separate authorities hereinabove set forth in Paragraphs A and B.

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