

ORIGINAL

Decision No. 59637

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of WESTERN MOTOR TARIFF BUREAU,)
INC., to publish rule permitting)
substitution of rail carrier)
service for motor carrier service)
under the provisions of Sections)
Nos. 490 and 491 of the Public)
Utilities Code.)

Application No. 41794

OPINION AND ORDER

Western Motor Tariff Bureau, Inc., publishes, on behalf of its members, tariffs setting forth rates, rules and regulations for the transportation of property between points within California. The Bureau membership consists of common carriers by motor vehicle.

By this application, filed December 24, 1959, the Bureau seeks authority to publish, on less than statutory notice, rules and regulations necessary to permit Paxton Trucking Company 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 San Jose, Oakland, San Francisco, Bakersfield, Fresno and Stockton, on the other hand. Paxton Trucking Company 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 provisions of General Order No. 80 to permit publication of the tariff provisions.

The proposed tariff publication would provide that Paxton Trucking Company, at its option, may substitute rail service for highway service unless the shipper directs that rail service shall not be performed. The tariff charges of Paxton Trucking Company would not be affected.

It appears that 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 Commission has granted similar authority to other highway carriers.

The application shows that on or about December 23, 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,

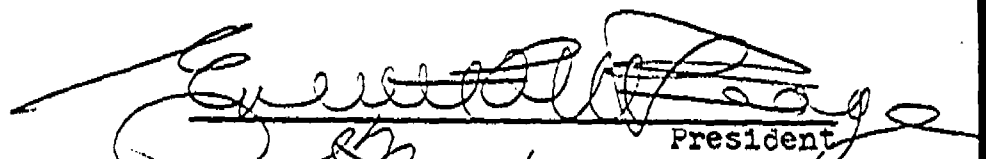
IT IS ORDERED:

(1) That Western Motor Tariff Bureau, Inc., is hereby authorized to publish, on behalf of Paxton Trucking Company 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 the above application and to depart from the provisions of General Order No. 80 to the extent necessary to publish the tariff provisions proposed in said application.

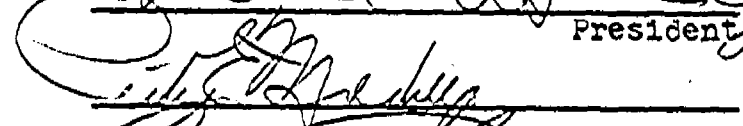
(2) That the authority herein granted shall expire unless exercised within ninety days after the effective date hereof.

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

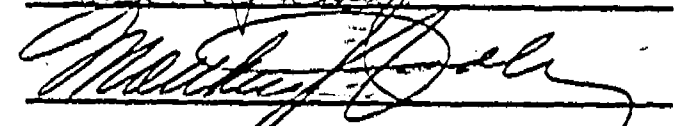
Dated at San Francisco, California, this 9th day of February, 1960.



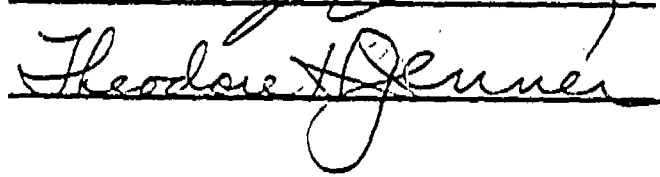
President



[unclear]



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Theodore Jenner

Commissioners