

ORIGINALDecision No. 61569

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of VALLEY MOTOR LINES, INC., for a Certificate of Public Convenience and Necessity as a highway common carrier; and of VALLEY EXPRESS CO., for a Certificate of Public Convenience and Necessity as an express corporation and removal of a limitation.

Application No. 41324

Robert S. Crossland, Crossland, Crossland and Richardson, for applicants.
R. Y. Schureman, Glanz, Russell and Schureman, for Desert Express, protestant.

OPINION AFTER REHEARING

By Decision No. 60739, dated September 13, 1960, in Application No. 41324, this Commission granted the applicant Valley Motor Lines, Inc., an enlarged and consolidated certificate by amending the existing certificate of the applicant, which is contained in Decision No. 59583, dated February 1, 1960, in Application No. 38221.

Protestant, Desert Express, filed a Petition for Rehearing and Reconsideration with this Commission on September 23, 1960. The petition requests that a portion of Paragraph 1 of Original Page 18 of Appendix A of Decision No. 60739 be deleted. Paragraph 1 of Original Page 18 of Appendix A reads as follows:

- "1. Between Bakersfield and Mojave over and along U. S. Highway No. 466, including the off-route points of Lamont, Arvin, Di Georgio, and Weed Patch."

The deletion requested by the protestant included "Between Bakersfield and Mojave over and along U. S. Highway No. 466...". The Petition for Rehearing asserts that the protestant does not object to the applicant providing service to Lamont, Arvin, Di Georgio and Weed Patch.

The petition of the protestant was granted by a Commission Order Granting Rehearing dated October 11, 1960. This order was amended on November 1, 1960, by an Order Modifying Order Granting Rehearing, which limits the issue on rehearing to whether applicant should be authorized to serve "Between Bakersfield and Mojave over and along U. S. Highway No. 466."

The rehearing was held on December 22, 1960, in Los Angeles before Commissioner C. Lyn Fox and Examiner Edward G. Fraser, at which time further evidence was received.

Upon consideration of all of the evidence adduced at the original hearing and the rehearing, we hereby find and conclude that public convenience and necessity require that Decision No. 60739 be affirmed.

ORDER ON REHEARING

An application having been filed, public hearing held, a petition for rehearing filed, further hearing held, and the Commission basing its decision on the findings and conclusions set forth in the foregoing opinion,

IT IS ORDERED that Decision No. 60739 is hereby affirmed and shall remain in full force and effect.

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

Dated at San Francisco, California, this 21st day of FEBRUARY, 1961.

[Signature]
President

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Commissioner