

ORIGINAL

Decision No. 61900

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:)

CONSTRUCTORS TRANSPORT CO.)
SOUTHERN PACIFIC COMPANY)

) Application No. 43271

)
For an order to maintain authorized)
departures from the provisions of)
Article XII, Section 21, of the)
Constitution of the State of)
California and Sections 460 and 491)
of the Public Utilities Code.)

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 and railroad.

Constructors Transport Co. possesses a certificate of public conven-
ience and necessity from this Commission authorizing service as a
highway common carrier between the points involved in this proceeding.

By this application, filed March 30, 1961, the Conference
seeks authority to publish, on less than statutory notice, rules and
regulations necessary to permit Constructors Transport 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 Bakersfield, Fresno, Oakland, Roseville and Stockton,

on the other hand; between Bakersfield, on the one hand, and Roseville, on the other hand; and between Fresno, on the one hand, and Oakland and Roseville, on the other hand. Authority is also sought to depart from the long-and-short-haul provisions of the Constitution of the State of California and the Public Utilities Code in connection with rates that are currently maintained for account of Constructors Transport Co. under outstanding long-and-short-haul authorities.

The application proposes that Southern Pacific Company will substitute its service for that of Constructors Transport Co. at the option of the latter and at the rates published for the account of Constructors Transport Co. for service performed entirely by truck. The proposed tariff would provide that, if the shipper so directs, rail substituted service will not be used.

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 March 28, 1961, copies thereof were served on competing carriers and 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, as set forth in the following order, on ten days' notice, will not be adverse to the public interest. A public hearing is not necessary. The application will be granted.

Therefore, good cause appearing,

IT IS ORDERED:

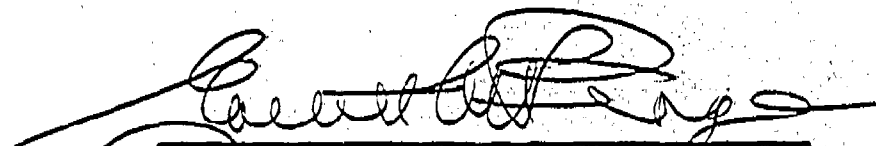
(1) That Interstate Freight Carriers Conference, Inc., Agent, is hereby authorized to publish, on behalf of Constructors Transport Co. and Southern Pacific Company, on not less than ten days' notice to the Commission and to the public, tariff provisions for substitute rail service as proposed in Application No. 43271.


(2) That the carriers named in the above-numbered application 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 Constructors Transport Co. under outstanding long-and-short-haul authorities.


(3) That the authority herein granted shall expire unless exercised within 120 days after the effective date hereof.

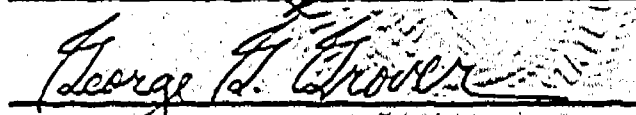
This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 25th day of April, 1961.



President






Commissioners