

ORIGINAL

Decision No. 63834

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 C. R. NICKERSON, AGENT)
 To establish Substituted Freight Service)
 For Account of)
 DOUDELL TRUCKING COMPANY)
 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 Sections 460 and)
 491 of the Public Utilities Code.)

Application No. 44393
(Filed April 30, 1962)

OPINION AND ORDER

C. R. Nickerson, Agent, publishes, on behalf of various common carriers, including those involved herein, tariffs setting forth rates, rules and regulations for the transportation of property between points within California.

By this application, he seeks authority to publish rules and regulations necessary to permit Doudell Trucking Company to avail itself of trailer-on-flatcar facilities of Southern Pacific Company, as a substitute for highway service, between Fresno and Los Angeles, on the one hand, and San Jose, Oakland, San Francisco and Stockton, on the other hand. Doudell Trucking Company possesses a certificate of public convenience and necessity from this Commission authorizing service between the points for which substituted service authority is requested. Authority is also sought to depart from the long-and-short-haul provisions of Section 460 of the Public Utilities Code in connection with rates that are currently maintained for account of Doudell Trucking Company under outstanding long-and-short-haul authorities and to make the tariff publication effective on five days' notice to the Commission and to the public.

The application proposes that Southern Pacific Company will substitute its service for that of Doudell Trucking Company at the option of the latter and at the rates published for the account of Doudell Trucking Company for service performed entirely by truck. The proposed tariff rules 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 a copy thereof was served on competing carriers and California Trucking Associations, Inc., on or about April 24, 1962. No objection to the granting of the application has been received.

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. A public hearing is not necessary. The application will be granted.

Good cause appearing,

IT IS ORDERED that:

1. C. R. Nickerson, Agent, is hereby authorized to publish, on behalf of Doudell 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.

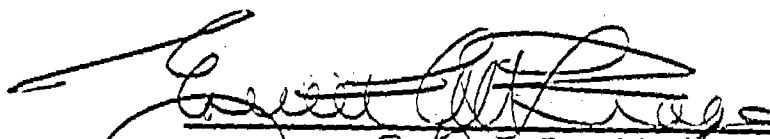
2. The carriers named in the above-numbered application are hereby authorized to depart from the long-and-short-haul provisions of Section 460 of the Public Utilities Code in connection with rates that are currently maintained for the account of Doudell Trucking Company under outstanding long-and-short-haul authorities.

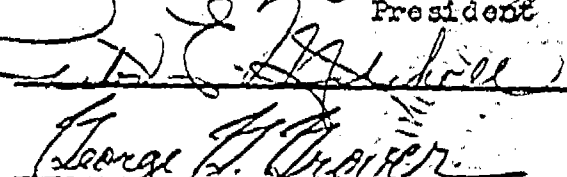
3. The tariff filings made pursuant to the authority herein granted shall be made effective not earlier than ten days after the effective date of this order and on not less than ten days' notice to the Commission and to the public.

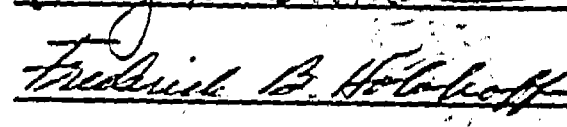
4. The authority herein granted shall expire unless exercised within 120 days after the effective date hereof.

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

Dated at San Francisco, California, this 15th day of June, 1962.



President




Commissioners

Commissioner C. Lyn Fox, being necessarily absent, did not participate in the disposition of this proceeding.