

Decision No. 66121

ORIGINAL

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 substi-)	
tution of rail carrier service for)	Application No. 45622
motor carrier service under the)	(Filed July 26, 1963)
provisions of Section Nos. 490 and)	
491 of the Public Utilities Code.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, on behalf of the carriers herein involved, seeks authority to publish rules and regulations necessary to permit Azusa Transfer Company to avail itself of trailer-on-flatcar facilities of Southern Pacific Company, as a substitute for highway service presently provided by the former, for the transportation of property between fourteen railhead points in California.¹ Azusa Transfer Company possesses a certificate of public convenience and necessity from this Commission authorizing highway common carrier service between the points for which substituted rail service authority is herein sought. Applicant requests that the sought authority be granted by ex parte order and that the tariff publications which are required be made effective on five days' notice to the Commission and to the public.

According to the application, Southern Pacific Company will substitute its rail service for that of Azusa Transfer Company at the option of the latter and at the rates now published for the account of Azusa Transfer Company for transportation service performed entirely by truck. The proposed tariff would provide that, if the shipper so directs, rail substituted service will not be used. Applicant states

¹The points involved are Bakersfield, Chico, El Centro, Fresno, Los Angeles, Oakland, Redding, Roseville, Salinas, San Francisco, San Jose, San Luis Obispo, Santa Barbara and Stockton.

that Azusa Transfer Company desires to take advantage of the available rail carrier service and plans to establish the proposed substituted service as quickly as possible thereby enabling said carrier to effect certain operating economics.

The verified application shows that, on or about July 25, 1963, a copy thereof was served on the California Trucking Association. 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 rail service as proposed, 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. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to publish, on behalf of Azusa Transfer Company and Southern Pacific Company, tariff provisions for substituted rail service as specifically proposed in Application No. 45622 and to depart from the provisions of General Order No. 80-A 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 Azusa Transfer 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 1st day of October, 1963.

William L. Bunnell
President
George H. Hoover
Frederick B. Haloloff
Commissioners