

ORIGINAL

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Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC MOTOR TRUCKING COMPANY and
PACIFIC MOTOR TRANSPORT COMPANY,
for authority to act as self
insurers in their operations
under Highway Carrier Permits.

Application No. 45906
Filed October 28, 1963

O P I N I O N

This is an application for an order of the Commission authorizing Pacific Motor Trucking Company and Pacific Motor Transport Company to be and act as self-insurers against liability imposed by law within the limits and provisions of Sections 3632 and 3982 of the Public Utilities Code, and of the Commission's General Order No. 100-B.

Both applicants are subsidiaries of Southern Pacific Company. Pacific Motor Trucking Company operates as a highway common carrier, a petroleum irregular route carrier, a city carrier, a radial highway common carrier, a highway contract carrier and a household goods carrier under certificates of public convenience and necessity and permits granted by this Commission. Pacific Motor Transport Company operates as an express carrier, a radial highway common carrier and a highway contract carrier under a certificate of public convenience and necessity and permits granted by this Commission.

By Decision No. 59713, dated February 24, 1960, in Application No. 41966, the Commission authorized Pacific Motor Trucking Company to become a self-insurer as to its California intrastate highway common carrier and petroleum irregular route carrier operations, but declined to authorize it to act as a self-insurer with respect to its operations under permits, it appearing that the latter would be in conflict with Sections 3632, 3982 and 5162 of the Public Utilities Code.

Recently, by enactment of Chapter 922 of the California Statutes of 1963, Sections 3632 and 3982 of the Public Utilities Code were amended so as to empower the Commission to authorize carriers operating under the Highway Carriers' Act and the City Carriers' Act to become self-insurers. Both applicants now desire authority to become self-insurers with respect to their operations under permits.

The Commission has considered this matter and finds that (1) both applicants have sufficient resources to enable them to meet their insurance obligations under the applicable provisions of General Order No. 100-B, and (2) the Public Utilities Code does not empower this Commission to authorize self-insurance with respect to a carrier's operations under a household goods carrier permit.

Based upon the foregoing findings, we conclude that (1) the application should be granted with respect to (a) operations of Pacific Motor Trucking Company as a city carrier, a radial highway common carrier and a highway contract carrier, and (b) operations of Pacific Motor Transport Company as a radial highway common carrier and a highway contract carrier, and (2) the application should be dismissed for want of jurisdiction with respect to the operations of Pacific Motor Trucking Company as a household goods carrier. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Pacific Motor Trucking Company may be and act as a self-insurer against liability imposed by law within the limits and provisions of Sections 3632 and 3982 of the Public Utilities Code, and of the Commission's General Order No. 100-B.
2. Pacific Motor Transport Company may be and act as a self-insurer against liability imposed by law within the limits and provisions of Section 3632 of the Public Utilities Code, and of the Commission's General Order No. 100-B.
3. This application, insofar as it seeks authority for Pacific Motor Trucking Company to be and act as a self-insurer with respect to its operations under a household goods carrier permit, is dismissed for want of jurisdiction.

4. The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 26th
day of NOVEMBER, 1963.

William L. Bennett
President
John E. Hartill
Charles W. King
George T. Grover
Fredrick B. Holshoff
Commissioners