

ORIGINAL

Decision No. 73164

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)
 INTERLINES-BLANKENSHIP MOTOR EXPRESS)
 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. 49582
(Filed August 1, 1967)

OPINION AND ORDER

By this application, C. R. Nickerson, for and on behalf of the carriers parties to this application, seeks authority to publish tariff rules to permit Interlines-Blankenship Motor Express 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 Oakland and San Francisco, on the other hand. Authority is also sought to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code, and to make the tariff publications effective on ten days' notice to the Commission and to the public.

Interlines-Blankenship Motor Express possesses a certificate of public convenience and necessity from this Commission authorizing highway common carrier service between the points for which substituted service authority is sought herein. The rates to be assessed when substituted rail service is performed would be the

same as those applicable under the tariff of Interlines-Blankenship Motor Express, when the substituted service is not performed. The tariff also would provide that rail service shall not be substituted if the shipper directs otherwise.

Applicant alleges that a more adequate service can be offered to the general public by use of the substituted service herein sought for the following reasons:

1. Line-haul power equipment during the heavy hauling season is utilized to capacity and many times it is not readily available for long distance operation;
2. Inability of Interlines-Blankenship Motor Express to obtain experienced line-haul drivers during the heavy hauling season.

The certificate of service shows that a copy of the application was mailed to parties named in the application on July 31, 1967. 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 as proposed herein, on ten days' notice, would not be adverse to the public interest. A public hearing is not necessary. The application should be granted.

IT IS ORDERED that:

1. C. R. Nickerson, Agent, is hereby authorized to publish, on behalf of Interlines-Blankenship Motor Express and Southern Pacific Company, tariff provisions for substitute rail service as specifically proposed in the above application and to depart from the provisions of General Order No. 80-A to the extent necessary to publish the tariff provisions as proposed in the 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 Interlines-Blankenship Motor Express under outstanding long- and short-haul authorities.

3. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than ten days after the effective date hereof 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.

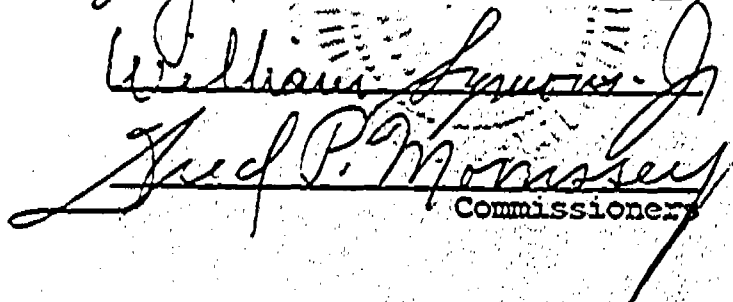
This order shall become effective twenty days after the date hereof.

Dated at Los Angeles, California, this 3rd day of October, 1967.



President





Commissioner

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.