

Decision No. 74115

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of )  
Western Motor Tariff Bureau, Inc. to )  
establish substitution of rail carrier )  
service for motor carrier service for )  
and on behalf of James L. Chase, doing ) Application No. 50098  
business as Kern Valley Transfer, and ) (Filed March 20, 1968)  
Haslett Company, operating jointly in )  
accordance with the provisions of )  
Section Nos. 490 and 491 of the Public )  
Utilities Code. )

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of James L. Chase, doing business as Kern Valley Transfer (Kern) and Haslett Company (Haslett), to publish rules in certain of its tariffs<sup>1</sup> to permit Kern and Haslett to avail themselves 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 make the tariff publications on five days' notice to the Commission and to the public.

Applicant states that Kern and Haslett operate a joint service as highway common carriers between various points and that joint rates for their combined operation are presently published in certain of the tariffs previously identified herein. According

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<sup>1</sup> Applicant's proposal involves amendment of Items Nos. 30, 810 and 370 of Western Motor Tariff Bureau, Inc., Agent, Substituted Freight Service Directory No. 1, and Local, Joint and Proportional Freight and Express Tariffs Nos. 111 and 109, Cal.P.U.C. Nos. 8, 15 and 13, respectively.

to applicant, Southern Pacific Company will substitute its rail service for the joint service of Haslett and Kern at the option of the highway carriers. Rates applicable to the public will be the rates now applicable via Haslett and Kern for service entirely performed by truck. The proposed tariff amendment would provide that, if the shipper so directs, rail substituted service will not be used. Applicant avers that Haslett and Kern desire to make use of the service offered by Southern Pacific Company as soon as possible in order that certain operating economies may be accomplished.

The certificate of service shows that a copy of the application was served upon California Trucking Association on or about March 18, 1968. The application was listed on the Commission's Daily Calendar of March 21, 1968. 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 specifically proposed in the application, on five days' notice, will not be adverse to the public interest. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., is hereby authorized to publish on behalf of James L. Chase, doing business as Kern Valley Transfer, Haslett Company 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

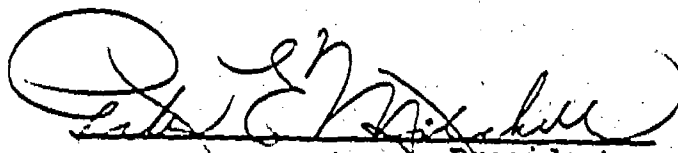
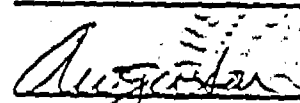


provisions of Section 460 of the Public Utilities Code in connection with rates that are currently published by James L. Chase, doing business as Kern Valley Transfer, and Haslett Company under outstanding long- and short-haul authorities.

3. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than five days after the effective date hereof on not less than five days' notice to the Commission and the public.

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

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

Dated at San Francisco, California, this 14<sup>th</sup> day of May, 1968.

  
President  
  
  
  
Commissioners

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