

Decision No. 89829 JAN 4 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Pacific Motor Trucking Compa-)
ny, a corporation, for modifica-)
tion of its certificate of public)
convenience and necessity by)
excluding new automobiles and new)
trucks originating at Benicia,)
Solano County)

Application No. 58391
(Filed October 2, 1978)

O P I N I O N

By Decision 56898 dated June 24, 1958 in Application 35802, Pacific Motor Trucking Company, a California corporation, was granted a certificate of public convenience and necessity to transport general commodities over a number of routes and between a large number of points in the State of California.

In addition to its common carrier authority aforesaid, the applicant holds a contract carrier permit under File T-14,954. Pursuant to this permit, it transports new automobiles and trucks from General Motors Corporation plants at Raymer and South Gate in Los Angeles County and Warm Springs in Alameda County. Applicant's highway common carrier certificate was restricted against such transportation pursuant to Decision 77570 dated August 4, 1970 in Application 51977, as a means to avoid inadvertent violation of Section 3542 of the Public Utilities Code which prohibits dual operations as a common and contract carrier of the same commodities between the same points.

By this application, Pacific Motor Trucking Company seeks to further modify its certificate by excluding therefrom the transportation of new automobiles and trucks originating at Benicia, Solano County. Applicant desires to transport these items under its permitted authority as a highway contract carrier from a sub-assembly facility maintained by its contract shipper at that point.

After consideration, the Commission finds that the public convenience and necessity no longer require the services of the applicant for the transportation of the aforementioned items as a highway common carrier, and concludes that the application should be granted. Such conclusion, however, should not be construed as a policy determination with respect to future petitions to exempt certain commodities from the provisions of a certificated operating authority. The effective date of this order should be the date on which it is signed so that the service authorized can be provided as soon as possible. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Appendix A of Decision 56898 dated June 24, 1958 in Application 35802, as amended by Decision 77570 dated August 4, 1970 in Application 51977, is hereby further amended by substituting the attached Second Revised Page 10 in place and instead of First Revised Page 10.

2. Within sixty (60) days after the effective date hereof and on not less than five (5) days' notice to the Commission and the public, applicant shall amend its tariffs on file with the Commission to reflect the authority herein granted.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 4th
day of JANUARY, 1979.

Robert K. Kautzman
President
Robert D. Kautzman
Clare L. DeSisto
Commissioners

SECTION II - SPECIAL CONDITIONS (cont'd)

2. (cont'd)

- 167 Weisel, Riverside County
- 168 Werner, Contra Costa County
- 169 Wimp, Tulare County
- 170 Winton, Merced County
- 171 Wolf, Fresno County
- 172 Wyeth, Tulare County
- 173 Woodsbro, San Joaquin County
- 174 Yorba, Orange County
- 175 Raymer, Los Angeles County **
- 176 South Gate, Los Angeles County **
- 177 Warm Springs, Alameda County **
- (1)178 Benicia, Solano County **

* This condition limited to north-south traffic only.

** This restriction applies only to new automobiles and
new trucks originating at these stations.

Issued by California Public Utilities Commission.

(1) Amended by Decision 89829 Application 58391.