

Decision No. 18047

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application)
of UNITED PARCEL SERVICE OF LOS)
ANGELES, INC., a corporation, to)
extend pick-up limits in the City)
of Los Angeles.)

Application No. 12859.

Devlin & Brookman, by Douglas Brookman,
for Applicant.

BY THE COMMISSION:

O P I N I O N

In this proceeding applicant United Parcel Service of Los Angeles, Inc., a corporation, seeks permission to extend its pick-up service area in the City of Los Angeles, as established by previous certificates of public convenience and necessity heretofore granted to applicant, so as to include contiguous territory, including Hollywood and other portions of the city.

A public hearing was held before Examiner Austin at Los Angeles on October 27, 1926, when evidence was offered, the matter was submitted, and it is now ready for decision. The granting of this application was not protested.

In respect to this situation applicant's rights are defined by Decision No. 9313, in Application No. 6781, granting to applicant's predecessor the right to conduct an automobile truck service as a common carrier of packages, parcels and cartons under 100 pounds each in weight between Los Angeles and various suburban points.

Provided, however, that all pick-ups for delivery shall be limited in the City of Los Angeles to the following district, bounded as follows, to-wit:-

On the north by Sunset Boulevard; on the west by Vermont; on the south by Santa Barbara; on the east by Alameda;

"with the exception of goods delivered to a wrong address, or returned to shipper."

It is proposed to expand this territory so as to embrace the area shown in the amendment to the application filed at the hearing, which corresponds substantially with that described in the original application. Both the present and the proposed pick-up areas are shown upon a map introduced as an exhibit at the hearing.

Applicant alleges that this limitation was imposed to protect the operator against the necessity of serving points outside the general business district of Los Angeles as it then existed, but since the original certificate was granted the business district has greatly developed and expanded and many large business houses have established branches in outlying districts, resulting in continuous requests and demands that applicant extend its service. At present, business establishments situated outside the existing pick-up area are obliged to send their parcels to applicant's central depot. This extension, it is claimed, is in the nature of a rate reduction, in view of the greater area which will be accorded a pick-up service without additional cost, such as is necessarily incurred at present by the delivery of parcels by the stores themselves to applicant's station.

Believing that no special authority was required for this extension, applicant has been serving some of the business houses outside the territory described above, acting,

however, in good faith. Pursuant to advice from the Commission that a new certificate was necessary, it filed this application. Since this is a proposal to enlarge substantially applicant's present operative rights, we are of the opinion that our authorization is required for the extension sought.

At the hearing applicant called one of its sales representatives, who described generally the demand for serving stores and business houses situated in the extended pick-up district. Among them he mentioned three wholesale and three retail stores, all large establishments, of which four are Hollywood branches of down-town stores now served by applicant. He introduced a memorandum naming twenty-two business firms engaged in various branches of industry, located in the proposed extended area, all of whom have frequently requested a pick-up service by applicant and would use it if authorized, the witness stating further that this was but a partial list, there being one-hundred or more establishments so situated which during the past year had requested pick-up service outside the present limits.

In our judgment applicant has shown a need for the proposed service, therefore, the application will be granted.

Upon full consideration of the evidence, we are of the opinion and hereby find as a fact that public convenience and necessity require the extension of the present pick-up area of applicant United Parcel Service of Los Angeles, Inc. (a corporation) within the City of Los Angeles, so as to permit the receipt and picking up of packages, parcels and cartons under 100 pounds each in weight when destined to or intended for delivery to any and all points now served by applicant under its existing operative rights, within the area described in the following order.

An order will be entered accordingly.

O R D E R

A public hearing having been held in the above entitled application, the matter having been duly submitted, the Commission being now fully advised, and basing its order on the findings of fact which appear in the opinion preceding this order:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the extension of the present pick-up area of applicant United Parcel Service of Los Angeles, Inc. (a corporation) within the City of Los Angeles, so as to permit the receipt and picking up of packages, parcels and cartons under 100 pounds each in weight, when destined to or intended for delivery to any and all points now served by applicant under its existing operative rights, within the area situated in said City of Los Angeles more specifically described as follows, to-wit:-

Commencing at the intersection of Sunset Boulevard and Doheny Drive on the north, extending east along Sunset Boulevard to Crescent Heights Boulevard, thence north on Crescent Heights Boulevard to Hollywood Boulevard, thence east on Hollywood Boulevard to the point on Pasadena Avenue which Hollywood Avenue, if extended, would intersect, thence north and east along Pasadena Avenue to the city limits of South Pasadena, thence south and east along said city limits to the city limits of Alhambra, thence south along Huntington Drive and Fairfield Avenue to Alhambra Road, thence south on Alhambra Road to the point where it would intersect with Indiana Street if extended, thence south along Indiana Street to Twenty-fifth Street, thence west on Twenty-fifth Street to Alameda Street, thence south along Alameda Street to Slauson Avenue, thence west along Slauson Avenue to Central Avenue, thence south along Central Avenue to Manchester Avenue, thence west along Manchester Avenue to the city limits, thence north and west along the city limits to the intersection of West Boulevard and West Sixty-fourth Street, thence west along Sixty-fourth Street to the point

where Sixty-fourth Street and Pruess Road would intersect if both were extended, thence along Pruess Road to Wilshire Boulevard, thence west along Wilshire Boulevard to Doheny Drive, thence north along Doheny Drive to the point of commencement.

IT IS HEREBY ORDERED, that a certificate of public convenience and necessity be and the same is hereby granted to said United Parcel Service of Los Angeles, Inc. (a corporation) for the establishment and operation of the service hereinabove described, subject to the following conditions:

- 1- Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
- 2- Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules, such tariffs of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from the date hereof.
- 3- The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
- 4- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 4th day
of March, 1927.

Edward D. ...
John B. ...
Clarence ...
Leon ...
Thos. D. ...
Commissioners.