

Decision No. 31711

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all Radial Highway Common Carriers and Highway Contract Carriers operating motor vehicles over the public highways of the State of California, pursuant to Chapter 223, Statutes of 1935, for the transportation for compensation or hire of any and all commodities and accessorial services incident to such transportation.

ORIGINAL

Case No. 4088

Part "U"

In the Matter of the Investigation and Establishment of rates, charges, classifications, rules, regulations, contracts and practices, or any thereof, of Common Carriers of property.

Case No. 4145

Part "F"

BY THE COMMISSION:

TWENTY-FIRST SUPPLEMENTAL OPINION AND ORDER

By petitions filed January 19, 1939, in the above entitled proceedings, The Western Pacific Railroad Company, Sacramento Northern Railway and Southern Pacific Company seek authority to enlarge their common pickup and delivery zone at Oroville and Southern Pacific Company seeks authority to enlarge its pickup and delivery zone at Salinas.¹ A description of the proposed zones is contained in the respective petitions. In support of the petitions it is asserted that the territories proposed to be included within the Oroville and Salinas pickup and delivery zones are in fact parts of the

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Decision No. 30370, as amended, in these proceedings, which established minimum rates for the transportation of property by common and highway carriers, provided that common carriers might maintain their respective established pickup and delivery zones, but did not permit subsequent enlargements of those zones without authority from the Commission.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that The Western Pacific Railroad Company, Sacramento Northern Railway and Southern Pacific Company be and they are hereby authorized to maintain the following enlarged pickup and delivery zone at Oroville:

*City limits, also area outside of city limits as follows:

Beginning at a point where Veatch Street intersects the southerly boundary of the city limits, thence south in an air line to the Swayne Lumber Company's railway, thence northeast along Swayne Lumber Company's railway to point where it crosses the Southern Pacific Company's line, thence south along Southern Pacific Company's line to Jefferson Street, thence east on Jefferson Street to Palermo Road, thence northerly on Palermo Road to Ithaca Street, thence easterly on Ithaca Street to Claremont Avenue, thence northerly on Claremont Avenue to Wyandotte Avenue and Danielson Avenue, thence northerly on Danielson Avenue to city limits."

IT IS HEREBY FURTHER ORDERED that Southern Pacific Company be and it is hereby authorized to maintain the following enlarged pickup and delivery zone at Salinas:

*City limits, also area outside city limits as follows:

North on Highway 101 beginning at city limits to Rochex Avenue, south on Highway 101 beginning at city limits to Harris Road, northwest on Salinas-Castroville Highway beginning at city limits to Boronda Road, east on Santa Maria Avenue beginning at city limits to Wood Street, thence north on Wood Street to Alisal Road, thence east on Alisal Road to junction of Williams Road, thence northeast on Williams Road to Del Monte Avenue, thence northwest on Del Monte Avenue to Rider Avenue, thence southwest on Rider Avenue to Sanborn Road, thence southwest on Sanborn Road to Gabilan Avenue, thence west on Gabilan Avenue to city limits, east on Natividad Road one mile beyond city limits."

IT IS HEREBY FURTHER ORDERED that the following be and it is hereby added to paragraph (c) of Rule No. 20 of Appendix "A" to Decision No. 30370, as amended, in the above entitled proceedings:

*Shipments weighing 100 pounds or less, transported by John W. Hills, doing business as Chico, Hamilton City & Orland Freight Stage."

In all other respects Decision No. 30370, as amended, in these proceedings, shall remain in full force and effect.

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

Dated at San Francisco, California, this 30th day of January, 1936.

Robertson J.
Frank R. Miller
Ray L. Kelly
H. H. Miller
Justin J. Casner
Commissioners.

industrial and residential development of the respective communities and that the extensions requested would not in either instance enlarge the present zones by more than one mile.²

Also, by petition filed January 26, 1939, John W. Hills, doing business as Chico, Hamilton City & Orland Freight Stage, a passenger stage corporation and highway common carrier serving Chico, Orland and intermediate points, seeks exemption from the minimum rate requirements of Decision No. 30370, as amended, in these proceedings.³ He alleges that this operation is peculiar in nature, in that it consists mainly of the transportation of small packages on frequent schedules as an accommodation service. He alleges, in addition, that this service competes with that of Pacific Greyhound Lines, a carrier already exempted as to shipments weighing 100 pounds or less and with the United States Parcel Post Service.

The proposed enlargement of the Oroville and Salinas pick-up and delivery zones appears justified in view of the showing that the territory sought to be included is in fact a part of the residential and industrial development of the respective communities. These petitions will be granted. The service engaged in by Chico, Hamilton City & Orland Freight Stage is apparently similar to that of exempted carriers, as to shipments weighing 100 pounds or less, and the petition will be granted to that extent. The petition does not indicate that this operation differs materially from ordinary operations, as to shipments weighing more than 100 pounds, and exemption of that class of traffic will therefore be denied.

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The present zone boundaries are set forth in Pacific Freight Tariff Bureau Tariff No. 255, C.R.C. No. 8, and in Southern Pacific Company Tariff No. 9 (P.M.T. series), C.R.C. No. 13.

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Petitioner also seeks exemption from the minimum rate requirements of Decision No. 31606 in Case No. 4246, which decision is not yet effective. This matter will be considered at a later date.