Decision No. $\qquad$ 2

BEFORE THE RAILFOAD COMAISSION OF TRE STATE OF CALIFORNIA


#### Abstract

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, ruies and regilations of all common carriers as defined in the Public Urilities Act of the State of California, as amended, and all highway carriers as defined in Chapter 223, Statutes of 1935, as amended, for the transportation, for compensation or hire, of any and ail commodities. 

Case No. 4246


BY THE COMCISSION:

## SUPPIEMENTAI CPINION AND ORDER

Common carrier respondents seek enlargement of certain zones heretofore established to govern the application of rates I prescribed for transportation which includes pickup or delivery. The points involved are the unincorporated comunity of Goldtree and the cities of Madera, Redding, Roseville, Turlock, Ukiah, King City, Vallejo and Watsonville.
public hearings were had at Son

The change at Jkich is sought by Northwestern Pacific Railroad Compony, that at Vallejo by Railway Express Agency, Inc. At all other points the chonges are sought by Southern Pacific Company. The same changes as those sought by that company are $2 l 50$ sought at King City by Pacific Motor Irucking Company; at Nadera by The Atchison, Topeka and Santa Fe Reilway Company, Valley Express Co. and Valley Motor Lines, Inc.; at Roseville by Valley Express Co.; and at Turlock by Tideweter Southern Reilway Company, Velley Express Co. and Valley Motor Lines, Inc.

2
The Southern Pacific Compary had also applied for an extension of the picinp and delivery inmits at Iivermore. Prior to the hearing, however, it requested that that petition be dismissed. After partial hearing of its petition dealing with the Watsonville zone, it requested thet the taking of further evidence with respect thereto be deferred for at least 45 days. This matter has been continued to a dete to be set pursuant to that request.

Francisco before Examiner Mulgrem on Jinuary 17 and March 7, 1941. At Goldtree the present pickup and delivery area embraces the territory within one mile of Southern Pacific Company's depot. At King City, Madora and Vallejo existing pickup and delivery zones cmbrace the incorporated areas and designated territory contiguous thereto. At all other points the present zones are coextensive with the incorporeted arcas. The enlerged zones proposed are described in detail in the petitions and depicted on maps submitted at the hearings; in each case the additional territory sought to be added abuts on the existing zone and is not extonsive. Petitioners represented that numerous industrics, stores and residences were situated within the arod sought to be added and that these areas were in reelity part and parcel of the adjoining communitios. Lit Goldtree, King City and Vallejo the added territory will include an army camp, an airfield and a residential district, respectively, ostablishod in furtherance of the national defense program. Witnesses for the petitioners testified that their rezoning proposals were designed to reflect the full territorial growth of cach of the communities involved, which, they said, was no longer confined within the corporate limits. It was explained that pickup and delivery service is not now rendered by petitioners in the areas proposed to be added to the present limits, but thet in each community it would be similar to the service petitioners provide in the existing zones. The similerity of service was said to justify the establishment of uniform pickup and delivory rates throughout each community. Representatives of shippers situated in the outiying areas testified that they compoted with other concerns located in the existing zones and that they were handicapped by potitioners' failure to accord them pickip and delivery service while rendering that service to their competitors.

Statements were submitted to show thet in most enses rates would not be changed; thet in the relatively fow instences where revisions in rates were involved the changes in the volume of individual rates were not substantial; and that the increases would be offset by corresponding reductions. Shipper witnesses said thet the proposed rete changes were satisfactory to their firms.

Counsel for Intercity Iransport Ines objected to the proposed enlargement of the pickup and delivery zone at Ukiah until his client's application for a certificate of public convenience and necessity involving that city was disposed of by the Commission. Otherwise, no one opposed the granting of petitioners' requests.

From the evidence of record it is apparent that the development of the comunities involved has extended beyond the pickup and dellvery boundaries established by orders heretofore entered in this proceeding. Transportation conditions surrounding the movement of freight from and to the additional terfitory now identified with each community have been shown to be comparable to those surrounding like transportation from and to the present pickup and delivery zone. İkewise, the contention that a rate equality on the basis of the rates appiicable within the existing zones would properly reflect these changed conditions appears well supported by the evidence. The petitions will be granted, with the understanding, however, that this is in no way a determination of the nature and extent of any carrier's operative rights. Such rights are not here in issue.

Therefore, good cause appearing,
IT IS EEREBY ORDERED that Highway Carriers' Mariff NO. 2 (Appendix "D" to Decision No. 31606, as amended, in this proceeding) be and it is hereby amended by substituting therein and adding
thereto the revised and new pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Second Revised Page 28 Cancels First Revised Page 28 Third Revised Page 29 Cancels Second Revised Page 29 Original Page 29-A
Second Revised Page 30 Cancels First Revised Page 30 Original Page 30-A
Second Revised Page 31 Cancels First Revised Page 31 Original page 31-A

IN IS HEREBY FURTAER ORDERED that the tariff publications required to be made by common carriers as a result of the amendbents herein of the aforesaid tariff shall be made effective on May 1, 1941, on not less than five (5) days' notice to the Commission and to the public; and that tariff publications which are not required to be made but which are herein authorized may be made offective not earlier than May 1, 1941, and on not less than five (5) days' notice if published to become effective on that date.

IT IS HEREBY FURTIER ORDERED that the petition of Southern Pacific Company, filed October 31, 1940, seeking extension of pickup and delivery limits at Livermore be and it is hereby dismissed.

IT IS HEREBY FURIGER ORDERED that in all other respects Decision No. 31606, as amended, shall remain in full force and offeet.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, that $18 / 2$ day of March, 1941.

commissioners

Second Revised Pago..... 28 Cancels
First Revised Page...... 28
Hichmal carricis l tarify no. 2

| $\begin{aligned} & \text { It em } \\ & \text { No. } \end{aligned}$ | SECTION NO. 1 - RUTES AND REGULiEIONS OF GENERAL APPLICATION (Continued) |
| :---: | :---: |
| $\begin{gathered} 260-2 \\ \operatorname{cancel} \\ 260-\mathrm{h} \end{gathered}$ | Pickup and delivery zonos include both sides of streets, boulovards, roads, avenues or highways remed. See Item No. 100 series for application of mileages to pickup and delivory zones in these and other incorporated cities or unincorporatod commatities. <br> Rates in this tarifif from or to incorporated cities or unincorporated comonities for which pickup and delivery zones are describod horew in chall apply from or to all points located within such deseribed zones. <br> -GOLDRREE: (Kifleage Basing Point, Goldtree.) Wathin a radius of one mile of the Southern Pacific Company's depot; alse beyond one mile from that depot along State Eighway No. 1 to and including Cemp San Luis Cbispo. <br> - KNNG CITY: (Kileage Basing Point, King City.) Including all of the City of King City, also the territory bourded as follows: <br> Eeginning at the intersection of the southern city limits and Highway U.S. 101, thence sowtheriy along Highway U.S. 101 for a cistance of ono thousanc feet, therce feturn via Highray U.S. 101 to city limite. <br> Begirning at the intersection of the southorn city limits and County Rosd at Ceral Street, thence soutinerly and southwesterly <br> along County Road Ion a diguayce ai one thousand foet, thence return via County Rond to city 2 imito. <br> Beginnting at the intorboction of the westorn city 2 imits and Highray U.S. 101, thence reaterly elong Eighmay U.S. 101. to the east bank of tho Salinae River, thonce roturn via Highway U.S. 201 to city limitis. <br> Beginning at the ixtergection of the eastern city limits and the continuation of Firet Street (County Road), thenco oasterly along County Rocd to ite intorection with the Asrport Road, northeasterly along the Airport Roed to and including King City Airport, thonce return via dirport Road and County Road to city limitac <br> LOS ANGELES HARBOR: (Kileage Zasing Point, Zome 20, Los Angeles.) <br> Includes all pointe located within the following boundarios: <br> Beginning at the point where tho Los Angelos County-Crango County boundary line intersocta the shore-Line of the Pacific Ocean, thence northoantoriy alozg eaie boundary line to the point whore tho corporato boundayy of the City of Jong Bcach divorgos thorefrom (Hathaway Avonie), northwcstorly and folloring the corporate boundary of the City of Long Beach to tho point whore it moots 223 rd Stroot at Caspian Avonuc, westorly along 223re Strout to its intorsection with the corporate boundary of the City of 208 fingolos (Fiesporian Avonuo), northrostorly and following the corporato boundary of tho City of 100 ingeico to tho intorsoction of Frampton Avonue and Lomita Boulovard, westorly along Lomita Boulovard to its intorsection with the weetern corporeto boundary of tho City of Los Angoles, southerly alorg seid corporcto boundary to its intorsoction With tho Bhoro-line of the Pacific Occan at Noymouth Aronuo, oastorly alons tho shoro-lino of the Pacific Ocoan to point of boginning. (Coatinuou) |
| $\left.\begin{array}{l}\text { Tncronso } \\ \text {-Rcduction }\end{array}\right)$ Docision No. |  |
|  | ERFECTIVE MAY 1,1941 |
| Iseucd by The Reilroad Commission of the State of California,San Francisco, Califormie. |  |

Third Revited Fago.... 29
Cancols
Second Rerisod Pago... 29
MIGHOAY CARATERS TARIFF NO. 2

| $\begin{aligned} & \hline \text { Itom } \\ & \text { No. } \end{aligned}$ | SECIION NO. 1 - RULES AND REGUAATIONS OF GENERAL APPLIEAITION (Continuod) |
| :---: | :---: |
| 260-2 <br> Cancols <br> 260-A | PICKIP AND DELTVERY ZONES (Continuod) <br> -6KADERA: (Kiluago Basing Point, Kadora.) Including ail of the City of Diadora, also the torritory boundod as follows: <br> Begianing at the intursection of the northorn and oastern city limitc, thonco castcrily and northoastorly along Clevoland Avonuo to its intorsoction with tho prolongation of Tozor Stroot, southcasteriy zlong tho prolongation oí Tozor Stroot end Fozor Stroot to County Road No. 28, southcrly along County Road No. 28 to Highway U.S. 99, southoastorly along Highway U.S. 99 to Sayro Ranch Road (County foad No. 13), wostcrly along Scyro Ranch Rocid (County Road No. 13) to County Road No. 27, southerly along County Road No. 27 for a diatgnce of throc bumircd foet, thonce return via County Road No. 27 to Saym Ranch Road (County Road No. 23), northorly along County Road No. 27 to its int creoction with tho southorn city limits, oastorly and nexthorly along tho city limits to point of beginning. <br> KILIS: (Kilogge Bosing Point, Xille.) Within a radius of one mile of the Southern Pacific Company's dopot; 2180 boyond ono milo from that dopot along liethor Fiold rocd to and including inthor Fiold. <br> (Continuod) |
| $\begin{aligned} & \text { Incrosso } \\ & \text { QRoduction } \end{aligned} \text { ) Docision No. }$ <br> Zonos formorly shown on this page transforred to Original Pago 2\%-A. |  |

EFRECITVE MAY 1, 1941
Corroction No. 188
Isaued by Tho Railrood Commision of tho Stato of Celiforain, San Francisco, Coliformia.

| It m No. | SECTION NO. 2 - RUTES SND REGULiTIONS OF GENERAL APPLICATION (Continuod) |
| :---: | :---: |
| $\begin{gathered} 260-3 \\ \text { Cancols } \\ 260-A \end{gathered}$ | PICKUP AND DELTVERY ZONAS (Continuod) <br> OKKHAND: (Kilcego Basing Point, Oekland.) Including oll of the City of Emeryvilie, aiso thoso parts of illbany, Alamoda, Borkoloy, Ockiend and Plodmont boundod by tho following: <br> Boginning at San Franciaco Bay and Alameda-Contra Costa County Line, thence easterly along said county line to Curtis Street, southerly on Curtis Street to Solano Avenue, oasteriy on Solano Avenue to fulare Avenue, southerly and westorly along city limits boundary line of dibany to Ordway Stroet, southerly on Ordmay Street to Hopkins Street, northoasterly on Hopkins Street to Grove Streot, southerly on Grove Street to Rose Street, eastorly on Rose Stroet to Oxford Streot, southerly on Oxford Street to Hearst Avenue, easterly and southorly along the city limit boundary line of Bericeley to Dwight Way, southwesterly on Doright Way to Coliege Arenue, southerly on Collogo Avenue to Broadmay, southwosterly on Broadray to Mather Streot, easterly on Kather Strect to Rose dvenue, southwestorly on Roso Averuc to Echo Avonuo, southcrly on Echo Averue to Iinda Avonue, oastorly on Linda Avonue to Grand Avonuo, southerly on Grand ivenue to Jiandana Bouloverd, castorly on Mandana Boulovard to Lakeshero Arenio, Bouthwostorly on Lakoshore Avonue to Excelsior Avonue, casterly on Excolsjor ivonuc to Hopkins Stroot, ocstcrly on Hopkins Streot to 55th ivcruce, southresterly on 55th dronuo to Camion Streot, oastorly on Camion Stroot to Sominary Avonuo, northousterly on Sominery ircnue to Outlook ivenue, oasterly on Cutlook hvonue to Parker ivenuo, southorly on Parker ivonuo to Foothill Boulovard, southcastorly on Foothill Boulovard to tho Oakland-San Leandro boundary lino, southorly elong tho Oakland-San Loandro boundary lino to Railroad avenue, northiestorly on Railroad ivonuo. to l05th Aronuo, westorly on 105 th Avcmue to Edes ivenuc, northorly on Edes Avenue to Jonos ivonuc, oestorly on Jonoc ivonue to Railroad ivenuo, northwesterly on Reilroad ivenue to 50th sivonuo, southwostcrly on 50th ivenuo to San Loandro Bay, Bouthorly Dlong the ahoro lino of San Loandro Bay end Oniciane Innor Harbor to oakiend kiddle Harbor, northerly alous shoro line of Oakland Widdlo Harbor and Oakland Outor Harber and San Frencieco Bay to point of boginning; $\text { -- }-180 \text {-- }$ <br> City of illemoda, boginning at Figh Struot and Oeklend Innor Harbor, thonco southorly, wostorly and northorly elong tho shoro line to tho mouth of tho Cakjand Estuery, oastorly, northerly and southorly clong tho idsmode shoro lino of tho Onkland Estuary to sterting point; inciuding Govorament Islend. <br> (Continucd) |
| $\triangle$ Change, noither increaso nor rocuction, Decision No. |  |
|  | EFFECTINE MKi 1, 1941 |
| Corroction No. 189 $\quad$ Issuod by Tho Reilrond Commission of the State of Cilifornia, |  |

Socond Roviood Page..... 30
Cancols
First Rovisoc Page...... 30
GIGHMAY CIBRIERS TARIFF NO. 2

| $\begin{aligned} & \text { Itom } \\ & \text { No. } \end{aligned}$ | SECTION NO. 1 - RULES AND REGULTIONS OF GINERIL IPPLICIITION (Continuod) |
| :---: | :---: |
| $\begin{gathered} 260-4 \\ \text { Cancols } \\ 260-1 \end{gathered}$ | PICKUP AND DETTVERY ZONSS (Comtinuod) <br> PITTSBURG: (Xillonge Brecing Point, Pittsburgo) Including oll of tho <br> City of Pittsburg, alco tho torritory bounded ce follows: <br> Boginning at tho intorsoction of Front Stroct and Driry Roce at tho wostcm city limito, thonco northwortorly on Dainy Rone to the ond of Deiry Road, thonce roturn vin Dairy Rond to city limite. <br> From the oact eity limits at Now York Slough, thonce oast follering tho watorfront to a point 2,000 foct on ot of Hoopor Leneing, wostorly cni eouthorly on Standarc Cil Roci to junction of County Highway and Extonsion of Ecst Thirc Stroot, continuing south on County Highway and Columbin Stroot to castorn city limits, wostorly ene northorly siong city limits to the ocstorn city limite at Now York Slough. <br> West from northrost cerner of City Perk on Ico Hovso Roce to junction of Stato Highray 4-24, inclucing incuastrios adjecoat to this road; continuins wost on Fighway 4-24 to North Brocenmen, thonce north to Southorn Pacific tracks, wost to 2 point opposite Alvos Ieno, south to Highey 4-24, thomeo east on Highawy 4-24 to Nerth Broadray, thoneo rcturn via Highway 4-24 and Ico Houso Road to merthrost comer of City Park. <br> **REDDING: (Niloago Besing Point, Rodcing.) Inclueing all of the City of Rodicing, ilso tho torritory boundor. cs follows: <br> Boginming at the intorsoction of tho northern city limits end Highway U.S. 99, thonco nerthoabterly along Highwy U.S. 99 for a distanco of ono milo, thonce roturn via Highavey U.S. 99 to city Ijrits. <br> Boginning at tho intcrsoction of tho southorn city limits and Stcto Highwey No. 44, thomeo southcestorly slong State Higharey No. 44 for a chetence of ono-quert or mile, thence return vit State Highway No: 44 to city limits. <br> Baginning at tho intorsoction of tho southern eity limits and Highray U.S. 99, thoneo ooutherly $2 l o n g$ Highway U.S. 99 for $a$ dite tence of 1.7 milos, thenco roturn via Eighony U.S. 99 to city Ifinito. <br> RICHMOND: (Wilioage Eesing Point, Richmond.) Including all of tho City of Richmond, aleo torritory north of and ecjacont to tho Richmond City Limite following Highray U.S. 40 to ane inclueising the Tanic Fem Station on said highway, and including tho plants of Cortoin-toce Products Corporation, Keyor Bros., Paragon Metol Containor Co., Rincom Menufacturing Co., Standorc Sanitcry knnufacturing Co. (Pacific Pottory Works). הnot Staneare Oil Co. (Tank Form). <br> *trosevilin: (Kiloago Bacing Point, Rosovilio.) Inciuing all of the City of Roscvillio, 2180 tho torritory bouncloc as follows: <br> Boginning at the intorscction of tho southorn city limite and Highway U.S. 40 , thonce southorly along Highway U.S. 40 for $e$ digtanco of one milo, thonco roturn vic fighey U.S. 40 to city limits. <br> (Continuec) |
|  |  |
|  | EFFECIIVE KAY 1, 1941 |
|  |  |


| It om N゚O. | SECIION NO. 1 - RULES IND REGULITIONS OF GENERIL APPLICANION (Continuod) |
| :---: | :---: |
| $\begin{gathered} \Delta \\ 260-5 \\ \text { cencols } \\ 260-A \end{gathered}$ | PICKUP IND DELTVERY ZONES (Continued) <br> SACRAMENTO: (Miloago Beaing Point, Sacramento.) Including all of the City of Sacremento; also territory located witisin one mile of the city limits. <br> SAN FRANCISCO: (Wileage 5asing Point, San Francisco.) Including all of the City of San Franciaco, also the territory bounded as follows: <br> Beginning at the point of intersection of the southern boundary line of the City of South San Franctaco and the shore line of San Francisco bay, thence westorly along said line to tho western side of tho Southern Pacific's mein lino right of way, northerly olong the wostorn sido of said right of way to Tonforan Aronuo, southwosterly along Tenforan Aromuo to tho wostorn sido of tin Southorn Pacific's Velencia Stroct linc right of way, northwostorly along tho wostorn sido of ocid right of way to Orange Avonuo, northoostorly aiong Orange dvonuo to Railroad Arcauo, ostorly along Railrocd Avenuo to Bay Shoro Highwiy, northorly Along Bay Shoro \#ighway to Kain Stroot, westerly elong Wein Struct to Schworin Streot, northorly clong Schworin Stroot to Partridgo Stroot, wostorly ciong Partridgo stroot to tho onsteriy boundary of the Grand National Exposition Livo Stock property of Agricultural District No.'I-A of the Stato of Celifornie, southerly, wostoriy and northeriy along tho boundorices of coid propanty te tho corporeto bouncery of tho City of San Francisco at Sentos Stroot and Gonova Avcnuo, ocetoriy flong said boundery lino to tho shoro line of San Francisco Bay, southerly $=l o n g$ the ehore Iine of Sen Frenciaco Bey to tho point of boginning. <br> SAN LEANDRO: (Milecge Basing Point, Sen Locndro.) Including all of the City of Sen Locndro, 3150 tho torritory boundod 00 follows: <br> Boginmins ot eestorly city limits snd īc.shingt on Avonuo, thonco <br>  Avonue 137 to Southorn Pacific Oaklend-Nilos min lino, wostorly glong Southern Precific tracks to ocstorn city limits. <br> Beginaing th opoint whoro Devis Stroot intorsocts the southom boundary of city limits, thenco southwestorly on Dcrio Strect to Southorn Pacific Elmhuret-Norerk lino, thenco roturn via Devie Stroct to city limits. <br> Beginning at intersection of city limits snd Apricot Street, thence northwesterly on Apricot Street to 107th Avonue, nontheasterly on IOFth dionue to East 14th Streat, ensterly on Enst 14th Street to western city limits. <br> (Continued) |
| $\triangle$ Chrnge, noither increase ner roduction, Decision No. <br> Zones formeriy shown on tilis pago transforrod to Socond Revisod Pege 31. |  |
| Corrocti |  |


| $\begin{aligned} & \text { Itom } \\ & \text { No. } \end{aligned}$ | SECTION NO. 1 - RULES AND REGULITYONS OF GENBRAL APPIICAIION (Continuod) |
| :---: | :---: |
| $\begin{gathered} 260-6 \\ \text { Cancola } \\ 260-A \end{gathered}$ | FICKUP AND DEITVERY ZONES (Continuod) <br> STOCKION: (Milocgo Bresing Point, Stockton.) Including $=11$ of tho City of Stocktox, $=150$ torritory outsieo of Stockton city limits boundod cs follows: <br> Boginning at the northonotorly comor of Ops Park, thenco onetorly clong Colercras Avonuo to Woet Finc, southorly elong iloet Lane to County Road, easteriy along County Road to Sanguinetti Ione, southerly along Sarguinetti Lene to Taterloo Road, northeasterly along Faterloo Romai to Haahington Street, southerly along Washington Street and Epstein Avenue to Linden Road, easteriy along Linden Road to David Averue, southerly along Devid Avenue and its prolongation to the right of way of the Southern Pacific Company (Oakdole Branck), westerly along the Southern Pacific Company right of way to Montorey Streat, southerly elong Kontorey Street and its prolongntion to Copperopolis Road, wostorly along Copperopolis Road to tho corporato boundary of tho City of Stockton, northorly and wostorly along seid corporeto boundary to point of beginning. <br> Boginning at the intorsoction of MeXinloy Avcnuo and tho corporatc boundary of the City of Stockton, southerly along Nekinloy fremue to a point 600 foot south of Iry Arcnue. <br> Beginning at tho intersoction of Koas Aronuo and tho corporato boundery of tho City of Stockton, thonec westorly along Moss Avonuo to Fronch Canp Turmpiko, northerly along Fronch Camp Tumpiko to Garwoud Forry Rad, westoriy along Garwoce Forry Road to tho Son Jonquin River, nortimestorly along tho cast bank of the San Joaquin Rivor to tho corporate boundary of tho City of Steckton, oastorly and southerly $=10 \mathrm{~g}$ seid corporato boundary to point of boginning. <br> - TYURLOCK: (Millcago Basing Point, Turlock.) Including all of the City of Turlock, 2 lsc tho territory bounded as follows: <br> Boginning at tho ixtorscction of tho northorn city limits and North Broadway, thonco northwostorly along North Brondway to old Highway U.S. 99 at Almond Avceuc, northwosterly along old Fighway U.S. 99 to now Highricy U.S. 99, southocetorly elong new Wighwey U.S. 99 to Almond Avc=uc, oastorly along Almone Avcauc to Gocr Avenue, norticrly along Goor Avonuo to Waysico Drivo, oestorly Olong Weyside Drive to Pionocr ficnuc, scutherly along Pioncor dvonue to its intorsocticn with the northern city 1 ilmits. <br> Boginating nt the intersoction of tho oouthoastorn city limits and South Contor Stroot, thonco southocetorly along South Coator Stroct to old iighavey U.S. 99, northorly along old Highrey U.S. 99 te ite intersoction with tho city limits at D Stroot. <br> (Continuod) |
| -Incroaso-Reduction Docision No. |  |
| EFFECIVE KNY 2,2941 |  |
| Corrocti | Itsuod by Tho Renilroce Commission of the Stato of Californic, 192 San Francisco, Californic. |



