Decision No. 32011

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 common carriers as defined in the Public Utilities 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 all commodities.

ORIGINAL

Case No. 4246

BY THE COMMISSION:

SUPPLEMENTAL CPINION AND ORDER

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

The change at Ukiah is sought by Northwestern Pacific Railroad Company, that at Vallejo by Railway Express Agency, Inc. At all other points the changes are sought by Southern Pacific Company. The same changes as those sought by that company are also sought at King City by Pacific Motor Trucking Company; at Madera by The Atchison, Topeka and Santa Fe Railway Company, Valley Express Co. and Valley Motor Lines, Inc.; at Roseville by Valley Express Co.; and at Turlock by Tidewater Southern Railway Company, Valley Express Co. and Valley Motor Lines, Inc.

The Southern Pacific Company had also applied for an extension of the pickup and delivery limits at Livermore. 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 that the taking of further evidence with respect thereto be deferred for at least 45 days. This matter has been continued to a date to be set pursuant to that request.

Francisco before Examiner Mulgrew on January 17 and March 7, 1941.

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At Goldtree the present pickup and delivery area embraces the territory within one mile of Southern Pacific Company's depot. At King City, Madera and Vallejo existing pickup and delivery zones embrace the incorporated areas and designated territory contiguous thereto. At all other points the present zones are coextensive with the incorporated areas. The enlarged 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 extensive. tioners represented that numerous industries, stores and residences were situated within the area sought to be added and that these areas were in reality part and parcel of the adjoining communities. At Goldtree, King City and Vallejo the added territory will include an army camp, an airfield and a residential district, respectively, established in furtherance of the national defense program. nesses for the petitioners testified that their rezoning proposals were designed to reflect the full territorial growth of each 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 that in each community it would be similar to the service petitioners provide in the existing zones. The similarity of service was said to justify the establishment of uniform pickup and delivery rates throughout each community. Representatives of shippers situated in the outlying areas testified that they competed with other concerns located in the existing zones and that they were handicapped by petitioners' failure to accord them pickup and delivery service while rendering that service to their competitors.

Statements were submitted to show that in most cases rates would not be changed; that in the relatively few instances 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 that the proposed rate changes were satisfactory to their firms.

Counsel for Intercity Transport Lines 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 communities involved has extended beyond the pickup and delivery boundaries established by orders heretofore entered
in this proceeding. Transportation conditions surrounding the
movement of freight from and to the additional territory 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. Likewise, the contention that a rate equality on
the basis of the rates applicable 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 HEREBY ORDERED that Highway Carriers' Tariff 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

IT IS HEREBY FURTHER ORDERED that the tariff publications required to be made by common carriers as a result of the amendments 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 effective 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 FURTHER ORDERED that the petition of Southern Pacific Company, filed October 31, 1940, seeking extension of pick-up and delivery limits at Livermore be and it is hereby dismissed.

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

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

Dated at San Francisco, California, this 1822 day of

March, 1941.

Commissioners

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HIGHWAY CARRIERS TARIFF NO. 2

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	PICKUP AND DELIVERY ZONES
	Pickup and delivery zones include both sides of streets, boulevards, roads, avenues or highways named. See Item No. 100 series for application of mileages to pickup and delivery zones in these and other incorporated cities or unincorporated communities. Rates in this tariff from or to incorporated cities or unincorporated communities for which pickup and delivery zones are described herein shall apply from or to all points located within such described zones. **GOLDTREE: (Mileage Basing Point, Goldtree.) Within a radius of one mile of the Southern Pacific Company's depot; also beyond one mile from that depot along State Highway No. 1 to and including Camp San Luis Chispo.
260-1 Cancels 260-A	**KING CITY: (Mileage Basing Point, King City.) Including all of the City of King City, also the territory bounded as follows: Beginning at the intersection of the southern city limits and Highway U.S. 101, thence southerly along Highway U.S. 101 for a distance of one thousand feet, thence return via Highway U.S. 101 to city limits. Beginning at the intersection of the southern city limits and County Road at Canal Street, thence southerly and southwesterly along County Road to city limits. Beginning at the intersection of the western city limits and Highway U.S. 101, thence Westerly along Highway U.S. 101 to the east bank of the Salinas River, thence return via Highway U.S. 101 to city limits. Beginning at the intersection of the eastern city limits and the continuation of First Street (County Road), thence easterly
	along County Road to its intersection with the Airport Road, north- easterly along the Airport Road to and including King City Airport, thence return via Airport Road and County Road to city limits; LOS ANGELES HARBOR: (Mileage Basing Point, Zone 20, Los Angeles.) Includes all points located within the following boundaries: Beginning at the point where the Los Angeles County-Orange County boundary line intersects the shore-line of the Pacific Ocean, thence northeasterly along said boundary line to the point where the corporate boundary of the City of Long Beach diverges therefrom (Hathaway Avonue), northwesterly and following the corporate bound- ary of the City of Long Beach to the point where it meets 223rd Street at Caspian Avonue, westerly along 223rd Street to its inter- section with the corporate boundary of the City of Los Angeles (Hesperian Avenue), northwesterly and following the corporate boundary of the City of Los Angeles to the intersection of Frampton Avenue and Lomita Boulevard, westerly along Lomita Boulevard to its intersection with the western corporate boundary of the City of Los Angeles, southerly along said corporate boundary to its intersection with the shore-line of the Pacific Ocean at Weymouth Avenue, easter- ly along the shore-line of the Pacific Ocean to point of boginning. (Continued)
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HIGHWAY CARRIERS' TARIFF NO. 2

Itom No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	PICKUP AND DELIVERY ZONES (Continued)
260-2 Cancols 260-A	**MADERA: (Milcage Basing Point, Madera.) Including all of the City of Madera, also the territory bounded as follows: Beginning at the intersection of the northern and eastern city limits, thence casterly and northeasterly along Cleveland Avenue to its intersection with the prolongation of Tezer Street, southecasterly along the prelongation of Tezer Street and Tezer Street to County Read No. 28, southerly along County Read No. 28 to Highway U.S. 99, southeasterly along Highway U.S. 99 to Sayre Ranch Read (County Read No. 13), westerly along Sayre Ranch Read (County Read No. 13) to County Read No. 27, southerly along County Read No. 27 for a distance of three hundred feet, thence return via County Read No. 27 to Sayre Ranch Read (County Read No. 13), northerly along County Read No. 27 to its intersection with the southern city limits, easterly and northerly along the city limits to point of beginning.
	MILLS: (Mileage Basing Point, Mills.) Within a radius of one mile of the Southern Pacific Company's depot; also beyond one mile from that depot along Mather Field read to and including Mather Field.

EFFECTIVE MAY 1, 1941

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OAKLAND: (Mileage Basing Point, Oakland.) Including all of the City Emeryville, also those parts of Albany, Alameda, Berkeley, Oakland d Piedment bounded by the following: Beginning at Sam Francisco Bay and Alameda-Contra Costa County Line, thence easterly along said county line to Curtis Street, southerly on Curtis Street to Solane Avenue, easterly on Solane Avenue to Tulare Avenue, southerly and westerly along city limits boundary line of Albany to Ordway Street, southerly on Ordway Street to Hopkins Street, northeasterly on Hopkins Street to Grove Street, southerly on Grove Street to Rose Street, easterly on Rose Street to Oxford Street, southerly on Oxford Street to Hearst Avenue, easterly and southerly along the city limit boundary line of Berkeley to Dwight Way, southwesterly on Dwight Way to College Avenue, southerly on College Avenue to Broadway, southwesterly on Broadway to Mather Street, easterly on Mather Street to Rose Avenue, southwesterly on Rose Avenue to Echo Avenue, southerly on Echo Avenue to Linda Avenue, easterly on Linda Avenue, easterly on Gran Avenue to Mandana Boulevard, casterly on Mandana Boulevard to Lakeshere Avenue, southwesterly on Lakeshere Avenue to Excelsior Avenue casterly on Excelsior Avenue to Hopkins Street to 55th Avenue, southwesterly on 55th Avenue, nertheasterly on Sominary Avenue to Outlook Avenue, oasterly on Cutlook Avenue to
Parkor Avenue, southerly on Parker Avenue to Foothill Boulevard, southcasterly on Foothill Boulevard to the Cakland-San Leandre boundary line, southerly along the Cakland-San Leandre boundary line to Railroad Avenue, northwesterly on Railroad Avenue to 105th
southcasterly on Foothill Boulevard to the Oakland-San Leandro boundary line, southorly along the Oakland-San Leandro boundary lin
Outor Harber and San Francisco Bay to point of beginning;
City of Alameda, beginning at High Street and Onkland Inner Harbor, thence southerly, westerly and northerly along the shore line to the mouth of the Cakland Estuary, easterly, northerly and southerly along the Alameda shore line of the Onkland Estuary to starting point; including Government Island.
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Corroction No. 190

HIGHWAY CARRIERS' TARIFF NO. 2

EFFECTIVE MAY 1, 1941

San Francisco, California.

Itom No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	PICKUP AND DELIVERY ZONES (Continued)
260-4 Cancols 260-A	PITTSBURG: (Mileage Basing Point, Pittsburg.) Including all of the City of Pittsburg, also the territory bounded as follows: Beginning at the intersection of Front Street and Dairy Road at the western city limits, thence northwesterly on Dairy Road to the end of Dairy Road, thence return vin Dairy Road to city limits. From the east city limits at Now York Slough, thence east following the waterfront to a point 1,000 feet east of Heoper Landing, westerly and southerly on Standard Cil Road to junction of County Highway and Extension of East Third Street, continuing south on County Highway and Columbin Street to eastern city limits, westerly and northerly along city limits to the eastern city limits at Now York Slough. West from northwest corner of City Park on Ice House Road to junction of State Highway 4-24, including industries adjacent to this road; continuing west on Highway 4-24 to North Breadway, thence north to Southern Pacific tracks, west to a point opposite Alves Lane, south to Highway 4-24, thence cast on Highway 4-24 to North Breadway, thence return via Highway 4-24 and Ice House Road to northwest corner of City Park. **REDDING: (Mileage Basing Point, Rodding.) Including all of the City of Rodding, also the territory bounded as follows: Beginning at the intersection of the northern city limits and Highway U.S. 99, thence northeasterly along Highway U.S. 99 for a distance of one mile, thence return via Highway U.S. 99 to city limits. Beginning at the intersection of the southern city limits and State Highway No. 44, thence southersterly along State Highway No. 44 for a distance of one-quarter mile, thence return via State Highway No. 44 to city limits. Beginning at the intersection of the southern city limits and Highway U.S. 99, thence southerly along Highway U.S. 99 for a distance of 1.7 miles, thence return via Highway U.S. 99 to city
	RICHMOND: (Mileage Basing Point, Richmond.) Including all of the City of Richmond, also territory north of and adjacent to the Richmond City Limits following Highway U.S. 40 to and including the Tank Farm Station on said highway, and including the plants of Cortain-tood Products Corporation, Mayor Bros., Paragon Metal Container Co., Rheem Manufacturing Co., Standard Sanitary Manufacturing Co. (Pacific Pottery Works), and Standard Cil Co. (Tank Farm).
	**ROSEVILLE: (Mileage Basing Point, Roseville,) Including all of the City of Reseville, also the territory bounded as follows: Beginning at the intersection of the southern city limits and Highway U.S. 40, thence southerly along Highway U.S. 40 for a distance of one mile, thence return via Highway U.S. 40 to city limits.
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Issued by The Railroad Commission of the State of California,

Corroction No. 191

EFFECTIVE MAY 1, 1941

Itom No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
, ,	SACRAMENTO: (Mileage Basing Point, Sacramento.) Including all of the City of Sacramento; also territory located within one mile of the city limits. SAN FRANCISCO: (Mileage Basing Point, San Francisco.) Including all of the City of San Francisco, also the territory bounded as follows: Beginning at the point of intersection of the southern boundary line of the City of South San Francisco and the shore line of San Francisco Bay, thence westerly along said line to the western side of the Southern Pacific's main line right of way, northerly along the western side of said right of way to Tanforan Avonue, southwesterly along Tanforan Avonue to the western side of the Southern Pacific's Valencia Stroet line right of way, northwesterly along the western side of said right of way to Orange Avonue, northeasterly along Orange Avonue to Reilroad Avonue, osstorly along Railroad Avonue to Bay Shore Highway, northerly along Bay Shore Highway to Main Stroet, westerly along Main Street to Schwerin Stroet, northerly along Schworin Stroet to Partridgo Stroet, westerly along
	Partridgo Stroot to the easterly boundary of the Grand National Exposition Live Stock property of Agricultural District No. 1-A of the State of California, southerly, westerly and northerly along the boundaries of said property to the corporate boundary of the City of San Francisco at Santos Stroot and Geneva Avenue, easterly along said boundary line to the shore line of San Francisco Bay, southerly along the shore line of San Francisco Bay to the point of beginning.
	SAN LEANDRO: (Mileage Basing Point, San Leandro.) Including all of the City of San Leandro, also the territory bounded as follows: Boginning at easterly city limits and Washington Avenue, thence easterly on Washington Avenue to West Avenue 137, southerly on West Avenue 137 to Southern Pacific Oakland-Niles main line, westerly along Southern Pacific tracks to eastern city limits. Beginning at a point where Davis Street intersects the southern boundary of city limits, thence southwesterly on Davis Street to Southern Pacific Elmhurst-Newark line, thence return via Davis Street to city limits. Beginning at intersection of city limits and Apricot Street, thence northwesterly on Apricot Street to 107th Avenue, northeasterly on 107th Avenue to East 14th Street, easterly on East 14th Street to western city limits.
	(Continued)
▲ Change, neither increase nor reduction, Decision No.	
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HIGHWAY CARRIERS' TARIFF NO. 2

Itom . No.	SECTION NO. 1 - RULES AND RECULATIONS OF GENERAL APPLICATION (Continued)	
	PICKUP AND DELIVERY ZONES (Continued) PICKUP AND DELIVERY ZONES (Continued) STOCKTON: (Mileage Basing Point, Stockton.) Including all of the City of Stockton, also territory outside of Stockton city limits bounded as follows: Boginning at the northeasterly corner of Cak Park, thence casterly along Calaverns Avenue to West Lane, southerly along Wort Lane to County Road, easterly along County Road to Sanguinetti Lane, southerly along Sanguinetti Lane, southerly along Washington Street and Epstein Avenue to Wasterloo Road, northeasterly along Washington Street and Epstein Avenue southerly along David Avenue and its prolongation to the right of way of the Southern Pacific Company (Oakdale Branch), westerly along the Southern Pacific Company (Oakdale Branch), westerly along the Southern Pacific Company right of way to Montercy Street, southerly along Memorey Street and its prolongation to Copperopolis Road, westerly along Copperopolis Road to the corporate boundary of the City of Stockton, northerly and westerly along said corporate boundary to point of beginning. Beginning at the intersection of McKinloy Avenue and the corporate boundary of the City of Stockton, southerly along McKinloy Avenue to a point 600 foot south of Ivy Avenue, Beginning at the intersection of Moss Avenue and the corporate boundary of the City of Stockton, thence westerly along Moss Avenue to Fronch Camp Turnpike, northerly along Fronch Camp Turnpike to Garwood Forry Road, vestorly along Garwood Forry Road to the San Joaquin River to the City of Stockton, hasterly and southerly along said corporate boundary to point of boginning. **TURLOCK: (Mileage Basing Point, Turlock.) Including all of the City of Turlock, also the territory bounded as follows: Boginning at the intersection of the northern city limits and North Broadway, thence northwesterly along North Broadway to old Highway U.S. 99 to Almond Avenue, casterly along Almond Avenue to Geor Avenue, northweyl Long Fiencer Avenue, ortherly cleng Foor Avenue to Mayside Drive to Geor Ave	
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◆Increase) ◆Reduction) Decision No.		
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Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
No.	PICKUP AND DELIVERY ZONES (Concluded) **UKIAH: (Mileage Basing Point, Ukiah.) Including all of the City of Ukiah, also the territory bounded as follows: Beginning at the intersection of the northern city limits and Highway U.S. 101, northerly along Highway U.S. 101 to Brush Street, easterly along Brush Street to Orr Street, southerly along Orr Street to the northern city limits. Beginning at the intersection of the southern city limits and Northwestern Pacific Railroad Company right of way, southerly along said right of way to Talmadge Road, easterly along Talmadge Road to Highway U.S. 101, northerly along Highway U.S. 101 to southern city limits. **VALLEJO: (Mileage Basing Point, Vallejo.) Including all of the City of Vallejo, also the territory bounded as follows:
260-7 Cancels 260-A	Beginning at the intersection of the northern city limits and Bayview Avenue, thence northwesterly along Bayview Avenue, Benson Avenue, Wilson Avenue and County Road 617 to Sears Point Road, northeasterly along Sears Point Road and State Highway No. 29 to County Road 594, southeasterly along County Road 594 to Sacramento Street, southerly along Sacramente Street to Missouri Street, casterly along Missouri Street to Sonoma Street, southerly along Sonoma Street to Mississippi Street, casterly along Mississippi Street to County Road 598, northerly along County Road 598 to Michigan Street, casterly along Michigan Street to Napa Road, southerly along Napa Road to Nebraska Street, casterly along Nebraska Street to Amader Street, northerly along Amader Street to the city limits, westerly, northerly, easterly and southerly along the city limits to Valle Vista Street, northeasterly along Valle Vista Street to Mountain View, southerly along Mountain View to Greenfield Avenue, northeasterly along Greenfield Avenue to Viewment Avenue, southerly along Viewment Avenue to County Road 140, easterly along County Road 140 to Highway U.S. 40, southerly along Highway U.S. 40 to Rois Avenue, westerly along Reis Avenue to Lemen Street, seuthwesterly along Lomen Street to the city limits at 6th Street. Mare Island Nevy Yard, including the Ammunition Depot, Naval Hospital and Merime Barracks.
*Increase Decision No. *Reduction Decision No.	
	EFFECTIVE MAY 1, 1941
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