

ORIGINAL

Decision No. 35220

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 regu-)
lations 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 trans-)
portation, for compensation or hire,)
of any and all commodities.)

Case No. 4246

BY THE COMMISSION:

SUPPLEMENTAL OPINION

By prior orders in this proceeding (41 C.R.C. 671, as amended) minimum rates, rules and regulations have been established for the transportation of property by common and highway carriers. By petition, certain common carriers seek enlargement of the zones heretofore prescribed to define and limit the areas within which the minimum rates established for pickup and delivery service at Modesto, Oakdale and San Jose apply.¹ Evidence relative to these proposals was received at a public hearing had at San Francisco on March 27, 1942, before Examiner Mulgrew.

The pickup and delivery zones maintained by petitioners at Modesto and San Jose consist of the incorporated areas plus

¹ The petition relating to the Modesto zone was filed by Southern Pacific Company; that relating to the Oakdale zone was filed by The Atchison, Topeka and Santa Fe Railway Company and Southern Pacific Company; and that relating to the San Jose zone was filed by The Western Pacific Railroad Company, Southern Pacific Company and Pacific Motor Trucking Company.

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specified territory adjacent to those cities; the zone maintained at Oakdale consists of the incorporated area. These zones, it is claimed, fail to reflect the full growth of the communities. The proposed zoning arrangements, on the other hand, are said to include territory contiguous to each of the incorporated areas which has become a part of the community although not annexed by the city. Establishment of the proposed zones, it is contended, would permit carriers serving the communities involved to perform like service at equal rates in the entire area comprising the industrial and residential development of each community. In all important respects service from and to the outlying areas is said to be similar to that within the present zones. It is pointed out that the proposed extensions are for short distances and that changes in the established minimum rates would be few and the volume of such changes slight.

No one opposed the establishment of the proposed zoning arrangements.

It appears that transportation conditions surrounding pickup and delivery service in the areas proposed to be added to the present zones and the conditions surrounding like service within those zones are substantially similar, and that the sought rate equality is justified. The proposed zones will be established. This action is not to be construed as a determination of the nature and extent of the operating authority of respondent carriers. Operating rights are not here in issue.

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These zones are described in Items Nos. 10119 and 10390, respectively, of Pacific Freight Tariff Bureau Tariff No. 255-B, C.R.C. No. 60 of J. P. Haynes, Agent. The extension of the Modesto zone beyond the corporate boundaries of that city was authorized by Decision No. 35063 of February 24, 1942, in this proceeding. The San Jose zone included designated areas adjacent to that city prior to the establishment of rates in this proceeding, and no change in that zone has been made by prior orders.

O R D E R

Based upon the evidence of record and upon the conclusions and findings set forth in the preceding opinion,

IT IS HEREBY ORDERED that Highway Carriers' Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) be and it is hereby amended by substituting therein and adding thereto, to become effective June 15, 1942, the revised and new pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Fourth Revised Page 30-A Cancels Third Revised Page 30-A
First Revised Page 30-B Cancels Original Page 30-B
Original Page 31-AA

IT IS HEREBY FURTHER ORDERED that the tariff publications to be made by common carriers as a result of the amendment herein of the aforesaid Highway Carriers' Tariff No. 2 shall be made on or before June 15, 1942, on not less than one (1) day's notice to the Commission and to the public.

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

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 7th day of April, 1942.

Justus J. Pearson
Raymond L. Kirby
T. J. B. B. B.
Francis K. Havens
Richard L. Jackson
Commissioners

Cancels

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">PICKUP AND DELIVERY ZONES (Continued)</p> <p>◆ MODESTO: (mileage Basing Point, Modesto.) All of the City of Modesto, also from the intersection of Highway U.S. 99 and Woodland Avenue northwesterly along said highway to Shoemaker Avenue to and including the United States Government Hospital, and the territory bounded as follows:</p> <p>Beginning at the intersection of Coldwell Avenue and Tully Avenue, northerly along Tully Avenue to Granger Avenue, easterly along Granger Avenue to McHenry Avenue, southerly along McHenry Avenue to Palm Avenue, easterly along Palm Avenue to the Modesto Irrigation District Lateral No. 4, southwesterly along the western bank of the Modesto Irrigation District Lateral No. 4 to the city limits, thence westerly along the northern city limits to point of beginning.</p> <p>Beginning at the intersection of the eastern city limits and Encina Avenue, easterly along Encina Avenue to Covena Avenue, southerly along Covena Avenue to Waterford Road, easterly along Waterford Road to Empire Avenue, southerly along Empire Avenue to Tenaya Drive, westerly on Tenaya Drive to the continuation of Empire Avenue, southerly along Empire Avenue to Kerr Avenue, easterly along Kerr Avenue to Airport Road (at Sierra Avenue), thence along the northern, eastern and southern boundaries of Modesto Municipal Airport to the intersection of the said southern boundary with Airport Road, southerly along Airport Road to the north bank of the Tuolumne River, westerly along the north bank of the Tuolumne River to the city limits at Beard Brook, northerly along the eastern city limits to point of beginning.</p> <p>Beginning at the intersection of southern city limits and Highway U.S. 99, southerly along Highway U.S. 99 to Hatch Road, westerly along Hatch Road to Crows Landing Road, northerly along Crows Landing Road to the southern city limits at the Tuolumne River, easterly along the southern city limits to point of beginning.</p> <p>Beginning at the intersection of Rouse Avenue and the southern city limits, northerly and westerly along said city limits to Franklin Avenue, southerly along Franklin Avenue to Faustina Avenue, easterly along Faustina Avenue to Sunset Avenue, northerly along Sunset Avenue to Rouse Avenue, thence easterly along Rouse Avenue to point of beginning.</p> <p>Beginning at the intersection of the western city limits and Paradise Road, southwesterly along Paradise Road to Vernon Avenue, thence return via Paradise Road to point of beginning.</p> <p>Beginning at the intersection of the western city limits and Kansas Avenue, westerly along Kansas Avenue to Lone Palm Avenue, northerly along Lone Palm Avenue to Woodland Avenue, easterly on Woodland Avenue and its continuation to Coldwell Avenue, easterly along Coldwell Avenue to western city limits, thence southerly along the western city limits to point of beginning.</p> <p style="text-align: center;">(Continued)</p>
<p>260-5-D Cancels 260-5-C</p>	<p>◆ Increase } ◆ Reduction } Decision No. 35220</p>
	<p>EFFECTIVE JUNE 15, 1942</p>
<p>Correction No. 259</p>	<p>Issued by The Railroad Commission of the State of California, San Francisco, California.</p>

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">PICKUP AND DELIVERY ZONES (Continued)</p> <p>MOUNTAIN VIEW: (Mileage Basing Point, Mountain View.) All of the City of Mountain View, also Moffett Field (United States Army Air Base) and the territory bounded as follows:</p> <p>Beginning at the intersection of the northwest city limits and Alma Street, northwesterly along Alma Street to Castro Avenue, southwesterly along Castro Avenue to El Camino Real, southeasterly along El Camino Real to the city limits, thence northeasterly along the city limits to point of beginning.</p> <p>Beginning at the intersection of the southeast city limits and El Camino Real (at Montgomery Street), southeasterly along El Camino Real to Alviso-Mountain View Road, northeasterly on Alviso-Mountain View Road to Church Street, northwesterly along Church Street to Calderon Avenue, northerly along Calderon Avenue to Front Street, southeasterly along Front Street and Evelyn Avenue to Easy Street, northerly along Easy Street to Oak Avenue, southwesterly along Oak Avenue to Central, northwesterly along Central to Moffett Boulevard, northeasterly along Moffett Boulevard to Bayshore Highway, northwesterly along Bayshore Highway to Stierlin Road, southerly along Stierlin Road to the city limits at Central, thence southeasterly along the eastern city limits to point of beginning.</p> <p>◊ OAKDALE: (Mileage Basing Point, Oakdale.) All of the City of Oakdale, also the territory bounded as follows:</p> <p>Beginning at the intersection of the southern city limits and Bryan Avenue (at Roosevelt Street), southeasterly on Bryan Avenue to the Santa Fe right-of-way, easterly along said right-of-way to the city limits, northerly and southwesterly along the city limits to point of beginning.</p> <p>OAKLAND: (Mileage Basing Point, Oakland.) All of the City of Emeryville, also those parts of Albany, Alameda, Berkeley, Oakland and Piedmont bounded by the following:</p> <p>Beginning at San Francisco Bay and Alameda-Contra Costa County line, thence easterly along said county line to Curtis Street, southerly on Curtis Street to Solano Avenue, easterly on Solano 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 and westerly on Dwight Way to College Avenue, southerly on College Avenue to Broadway, southwesterly on Broadway to Mather Street, easterly on Mather Street and Pleasant Valley Avenue to Rose Avenue, southwesterly on Rose Avenue to Echo Avenue, southerly on Echo Avenue to Linda Avenue, easterly on Linda Avenue to Grand Avenue, southerly on Grand Avenue to Mandana Boulevard, easterly on Mandana Boulevard to Lakeshore Avenue, westerly on Lakeshore Avenue to Excelsior Avenue, easterly on Excelsior Avenue to Hopkins Street, easterly on Hopkins Street to 55th Avenue, southwesterly on 55th Avenue to Camden Street, southeasterly on Camden Street to Seminary Avenue, northeasterly on Seminary Avenue to Outlook Avenue, southeasterly on Outlook Avenue to Parker Avenue, southerly on Parker Avenue to</p>

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Foothill Boulevard, southeasterly on Foothill Boulevard to the Oakland-San Leandro boundary line, westerly along the Oakland-San Leandro boundary line and its prolongation to Edes Avenue, northwesterly on Edes Avenue to Jones Avenue, westerly on Jones Avenue to 98th Avenue, easterly on 98th Avenue to Railroad Avenue, northwesterly on Railroad Avenue and its prolongation to 50th Avenue, southwesterly on 50th Avenue to San Leandro Bay, northwesterly along the shore line of San Leandro Bay and Oakland Inner Harbor to Oakland Middle Harbor, northerly along shore line of Oakland Middle Harbor and Oakland Outer Harbor and San Francisco Bay to point of beginning;

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City of Alameda, beginning at High Street and Oakland Inner Harbor, thence southerly, westerly and northerly along the shore line to the mouth of the Oakland Estuary, thence easterly along the Alameda shore line of the Oakland Estuary to starting point; including Government Island.

(Continued)

◆ Increase }
▼ Reduction } Decision No. 35220

EFFECTIVE JUNE 15, 1942

Correction No. 260

Issued by The Railroad Commission of the State of California,
San Francisco, California.

Item No. SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)

PICKUP AND DELIVERY ZONES (Continued)

◆ SAN JOSE: (Mileage Basing Point, San Jose.) All of the City of San Jose, also from the intersection of Santa Clara Avenue and King Road, northeasterly on Santa Clara Avenue to Jackson Street, and the territory bounded as follows:

Beginning at the intersection of Bayshore Highway and the city limits at Coyote River, southeasterly along said highway to the city limits at McKee Road, southwesterly and northerly along the city limits to point of beginning.

Beginning at the intersection of Bonita Avenue and East San Antonio Street, southeasterly along Bonita Avenue to Sunny Court, southwesterly along Sunny Court to McLaughlin Avenue, northwesterly along McLaughlin Avenue to East San Antonio Street, northeasterly along East San Antonio Street to point of beginning.

Beginning at the intersection of Malone Road and Almaden Road, northerly on Almaden Road to Stone Avenue, northeasterly, southeasterly and northeasterly on Stone Avenue to Monterey Road, southeasterly on Monterey Road to and including the Santa Clara County Fair Grounds, thence on Monterey Road to Tully Road, northeasterly on Tully Road to the Southern Pacific Company's right-of-way, northwesterly along said right-of-way to the city limits, southwesterly along the city limits to point of beginning.

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Beginning at the point where Lincoln Avenue crosses Los Gatos Creek, southwesterly along said creek to Carolyn Avenue, southeasterly along Carolyn Avenue to Garfield Avenue, northeasterly along Garfield Avenue to Lincoln Avenue, northwesterly along Lincoln Avenue to point of beginning.

Beginning at the point where Lincoln Avenue crosses Los Gatos Creek, northwesterly along Lincoln Avenue to the city limits, northeasterly, southeasterly and southwesterly along the city limits to point of beginning.

Beginning at the intersection of Bascom Avenue and Forrest Street, southerly along Bascom Avenue to Stevens Creek Road, westerly on Stevens Creek Road for 1100 feet and return on said road to Bascom Avenue, southerly on Bascom Avenue to and including the Santa Clara County Hospital, return on Bascom Avenue to Moorpark Avenue, easterly along Moorpark Avenue to the city limits at Race Street, northeasterly and westerly along the city limits to point of beginning.

Beginning at the city limits and Brokaw Road, northeasterly on said road to Bayshore Highway, southeasterly on said highway to Berryessa Road, northeasterly on Berryessa Road to the Western Pacific Railroad Company's right-of-way, southerly along said right-of-way to Mabury Road, southwesterly on said road to the city limits at Coyote River, northwesterly, southwesterly and northwesterly along the northern city limits to point of beginning.

(Continued)

◆ Increase } Decision No. 35220
 } Reduction

EFFECTIVE JUNE 15, 1942

Issued by The Railroad Commission of the State of California,
 Correction No. 261 San Francisco, California.