

Decision No. 35924

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.)

ORIGINAL

Case No. 4246

BY THE COMMISSION:

SUPPLEMENTAL OPINION

Prior orders in this proceeding (41 C.R.C. 671, as amended) have established minimum rates, rules and regulations for the transportation of property by common and highway carriers. Zones have been prescribed to designate the areas within which the rates established for pickup and delivery service are applicable. Certain carriers seek enlargement of the zoning arrangements at Chico, Goleta, Merced and Pittsburg; others seek exemption of designated traffic from the prescribed rates. Evidence relating to the zoning arrangements was received at public hearings had at San Francisco before Examiner Mulgrew. The proposed exemptions appear to be matters in which public hearings are not necessary.

1

Enlarged pickup and delivery zones at all of the points involved are proposed by Southern Pacific Company. The same enlargements as those proposed by that company are also proposed at Chico by Pacific Motor Trucking Company, at Merced by The Atchison, Topeka and Santa Fe Railway Company, and at Pittsburg by The Atchison, Topeka and Santa Fe Railway Company and Sacramento Northern Railway. The exemptions are sought by George E. Trask, dba Columbia Stages and S. R. Wickham.

At Chico, Merced and Pittsburg the existing pickup and delivery zones embrace the incorporated areas of those cities and designated contiguous territory;² at Goleta, an unincorporated community, the zone embraces territory within one mile of the Southern Pacific depot. The areas proposed to be added to the present zones are, in each instance, adjacent to the existing limits. These areas are said to be integral parts of the communities involved. Adoption of the proposed enlarged zoning arrangements, it is represented, would enable the carriers to provide like service at the same rates throughout each community. Service from and to the outlying areas in question is said to be substantially similar in all important respects to like service within the existing zones.

No one opposed the establishment of the enlarged zones.

It appears that pickup and delivery service within the areas proposed to be added to the present zones is surrounded by transportation conditions comparable to those surrounding like service within said zones and that the sought enlargements of these zones are justified. The proposed zoning arrangements will be established. This action is not to be construed as a determination of the nature and extent of the operating authority of any respondent carrier. Operative rights are not here in issue.

2

The pickup and delivery zone at Chico is described in Item No. 13440 of Pacific Freight Tariff Bureau Tariff No. 255-C, C.R.C. No. 95 of J. P. Haynes, Agent, and is maintained pursuant to authority granted by Decision No. 33180, in this proceeding. The zones at Merced and Pittsburg are described in Items Nos. 260-4-B and 260-6-C, respectively, of Highway Carriers' Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended, in this proceeding).

George E. Trask, an individual doing business as Columbia Stages, is a common carrier operating between Sonora and Columbia; S. R. Wickham is a highway contract carrier operating between San Miguel and Parkfield. Trask and Wickham represent that their operations are incidental to, and performed in conjunction with, the transportation of United States mail; that the shipments which they transport are small and are handled only as an accommodation service; and that the value of this service to their patrons is substantially less than the charges accruing under the established minimum rates. Trask asks that he be relieved from observing the prescribed minimum rates in so far as shipments weighing 250 pounds or less are concerned; Wickham asks for similar relief in connection with shipments weighing 100 pounds or less.

The proposed exemptions involve transportation in rural areas under conditions materially different from those surrounding the operations of other carriers for which the established rates were primarily designed. These requests appear justified and will be granted.

By petition filed January 8, 1942, Cast Iron Pressure Pipe Institute sought modification of the established minimum rates for the transportation of cast iron pipe and fittings and cement asbestos pipe; by petition filed July 10, 1942, The Atchison, Topeka and Santa Fe Railway, Sacramento Northern Railway and Southern Pacific Company sought enlargement of the pickup and delivery limits at Pittsburg;³ and by petition filed September 29,

3

Subsequent to the filing of this petition the Commission was advised that it had developed that further enlargement of the Pittsburg pickup and delivery limits was considered necessary. This resulted in the proposal previously discussed in this supplemental opinion being made in lieu of that contained in the petition dated July 10.

1942, Higgins Brick & Tile Works sought revision of the established rates in connection with the transportation of brick and tile from Torrance to nearby communities. These petitioners have requested that their petitions be dismissed. Their requests will be granted.

O R D E R

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

IT IS HEREBY ORDERED that Decision No. 31606 of December 27, 1938, as amended, in this proceeding, be and it is hereby further amended by adding to paragraph (a) of Finding No. 14 thereof "George E. Trask, an individual doing business as Columbia Stages, in connection with the transportation of shipments weighing 250 pounds or less between Sonora and Columbia and intermediate points," and "S. R. Wickham, in connection with the transportation of shipments weighing 100 pounds or less between San Miguel and Parkfield and intermediate points;" and by substituting in and adding to Highway Carriers' Tariff No. 2 (Appendix "D" to said Decision No. 31606, as amended), to become effective December 15, 1942, the revised and new pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Ninth Revised Page 28 Cancels Eighth Revised Page 28
Original Page 28-A
Sixth Revised Page 29 Cancels Fifth Revised Page 29
Fifth Revised Page 30 Cancels Fourth Revised Page 30
Sixth Revised Page 31 Cancels Fifth Revised Page 31

IT IS HEREBY FURTHER ORDERED that the tariff publications to be made by common carriers as a result of the further amendment herein of the aforesaid Decision No. 31606, as amended, shall be made on or before December 15, 1942, on not less than three (3) days' notice to the Commission and to the public.

IT IS HEREBY FURTHER ORDERED that the petition of Cast Iron Pressure Pipe Institute, filed January 8, 1942, the petition of The Atchison, Topeka and Santa Fe Railway Company, Sacramento Northern Railway and Southern Pacific Company, filed July 10, 1942, and the petition of Higgins Brick & Tile Works, filed September 29, 1942, referred to in the opinion which precedes this order, be and they are hereby dismissed.

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

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 5th day of November, 1942.

Justus J. Haenen
W. B. K. M.
Francis J. Havens
Richard L. Asher
Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">PICKUP AND DELIVERY ZONES</p> <p>Except as otherwise provided, 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.</p> <p>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.</p> <p>ANTIOCH: (Mileage Basing Point, Antioch.) All of the City of Antioch, also from the intersection of the eastern city limits and unnumbered county road, easterly, northerly and easterly along said county road to and including the Fulton Shipyards and Shell Oil Co. plant, and that territory bounded as follows:</p> <p>Beginning at the intersection of the eastern city limits and State Highway No. 4, easterly along State Highway No. 4 to Hillcrest Road, southerly along Hillcrest Road to Tregallis Road, westerly along Tregallis Road to the eastern city limits, northerly along said city limits to point of beginning.</p> <p>BENICIA: (Mileage Basing Point, Benicia.) All of the City of Benicia, also the United States Arsenal and the Ordnance Storage Depot adjacent to that city.</p> <p>CAPITOLA: (Mileage Basing Point, Capitola.) The territory bounded as follows:</p> <p>Beginning at the intersection of the shore line of Monterey Bay and the prolongation of 41st Avenue thence northerly along said prolongation and 41st Avenue to Lower Sequel Road, westerly along Lower Sequel Road but not including points situated on that road to Rodeo Creek, northerly along Rodeo Creek to State Highway 1, easterly along State Highway 1 but not including points situated on that highway to Rodeo Gulch Road, southerly and easterly along Rodeo Gulch Road but not including points situated on that road to 41st Avenue, northerly along 41st Avenue but not including points situated on that avenue to State Highway 1, easterly along State Highway 1 but not including points situated on that highway to Robertson Street, southerly along Robertson Street but not including points situated on that street to Porter Street, southerly along an imaginary line projected from that intersection to Sequel Creek, northeasterly along Sequel Creek and an imaginary line projected to the intersection of Main and Walnut Streets, northeasterly along Walnut Street but not including points situated on that street to State Highway 1, easterly along State Highway 1 but not including points situated on that highway to Park Avenue, southerly along Park Avenue to the point on that avenue opposite the intersection of the Southern Pacific Company's tracks and Parker Creek, easterly along an imaginary line projected from the said point on Park Avenue to the said intersection, southerly along Parker Creek to the shore line of Monterey Bay, and westerly along said shore line to point of beginning.</p> <p style="text-align: center;">(Continued)</p>

*260-1-G
Cancels
260-1-F

*Change, Decision No. **35924**

Coyote and Cordelia zones formerly shown on this page transferred to Sixth Revised Page 29.

EFFECTIVE DECEMBER 15, 1942

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

Correction No. 269

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
260-1.5	<p style="text-align: center;">PICKUP AND DELIVERY ZONES (Continued)</p> <p>♦♦ CHICO: (Milage Basing Point, Chico.) All of the City of Chico, also the territory bounded as follows:</p> <p>Beginning at the intersection of First Street and Nord Avenue, northwesterly along Nord Avenue to State Highway 32, northwesterly along State Highway 32 to Sacramento Avenue, westerly along Sacramento Avenue for a distance of 500 feet, thence return along Sacramento Avenue to Columbus Avenue, northwesterly along Columbus Avenue to its end, northeasterly along an imaginary line to the intersection of First Avenue and North Cedar Street, northwesterly along North Cedar Street to Fourth Avenue, northeasterly along Fourth Avenue to North Cherry Street, northwesterly along North Cherry Street to Sixth Avenue, northeasterly along Sixth Avenue to the city limits, thence southerly along the city limits to point of beginning.</p> <p>Beginning at the intersection of Seventh Avenue and Arcadian Avenue, northwesterly along Arcadian Avenue to Eighth Avenue, northeasterly along Eighth Avenue to Esplanade, northwesterly along Esplanade to Lindo Avenue, easterly along Lindo Avenue to Arbutus Avenue, southeasterly along Arbutus Avenue to First Avenue, thence southeasterly along an imaginary line to the continuation of Arbutus Avenue at Palmetto Avenue, thence southeasterly along Arbutus Avenue to the city limits at Vallombrosa Avenue, thence southerly, westerly, northerly and westerly along the city limits to point of beginning.</p> <p>Beginning at the intersection of Tulip Street and Eighth Street, northeasterly along Eighth Street to Fir Street, southerly along Fir Street to Humboldt Avenue, southerly along an imaginary line to Guill Street, southerly along Guill Street to Cleveland Street, westerly along Cleveland Street to "D" Street, southerly along "D" Street to Irwin Street, thence southeasterly along an imaginary line to Twentieth Street, southwestorly along Twentieth Street to the city limits, thence northerly along the city limits to point of beginning.</p> <p>Beginning at the intersection of Twentieth Street, Mulberry Street and Chico Avenue, southeasterly along Chico Avenue to Highway U.S. 99-E, southeasterly along Highway U.S. 99-E to the Stirling City Branch of the Southern Pacific Company, thence return along Highway U.S. 99-E to the city limits, thence northwesterly and northeasterly along the city limits to point of beginning.</p> <p>Beginning at the intersection of the southern city limits and Normal Avenue, thence due west along an imaginary line to the Southern Pacific Company right-of-way, northwesterly along said right-of-way to the city limits, easterly and southeasterly along the city limits to point of beginning.</p> <p>Beginning at the intersection of the city limits and Dayton Road, southwestorly along Dayton Road to Pomona Avenue, northwesterly along Pomona Avenue to Miller Avenue, northerly along Miller Avenue to the city limits, easterly along the city limits to point of beginning.</p> <p style="text-align: center;">(Continued)</p>
	<p>♦ Increase) Decision No. 35924 ♦ Reduction)</p>
	EFFECTIVE DECEMBER 15, 1942
Correction No. 270	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)
260-2-C Cancels 260-2-B	PICKUP AND DELIVERY ZONES (Continued)
	<p>CORDELIA: (Mileage Basing Point, Cordelia.) Within a radius of one mile of the Southern Pacific Company's depot; also beyond one mile from that depot northeasterly along County Road No. 87 to and including the Solano Winery, thence return via County Road No. 87 to point of beginning.</p>
	<p>COYOTE: (Mileage Basing Point, Coyote.) Within a radius of one mile of the Southern Pacific Company's depot; also beyond one mile from that depot southerly along Highway U.S. 101 for a distance of six-tenths of a mile.</p>
	<p>EXETER: (Mileage Basing Point, Exeter.) All of the City of Exeter, also the territory bounded as follows:</p>
	<p>Beginning at the intersection of the southern city limits and State Highway No. 65 (Kaweah Avenue), southerly along State Highway No. 65 for a distance of 1750 feet to Southern Pacific Company right-of-way, northwesterly along said right-of-way to the southern city limits, easterly along said city limits to point of beginning.</p>
	<p>Beginning at the intersection of the northern and eastern city limits, easterly along the prolongation of the northern city limits for a distance of 1150 feet, southerly along an imaginary line to the prolongation of the southerly city limits, westerly along said prolongation for a distance of 1150 feet to the eastern city limits, northerly along said city limits to point of beginning.</p>
<p>GILROY: (Mileage Basing Point, Gilroy.) All of the City of Gilroy, also from the intersection of the northern city limits and Highway U.S. 101 (Monterey Street) northerly along said highway for a distance of one mile, from the intersection of the eastern city limits and State Highway 152 (Old Gilroy Road) easterly along said highway for a distance of one mile, and from the intersection of the southern city limits and Highway U.S. 101 (Monterey Street) southerly along said highway for a distance of three-tenths of a mile.</p>	
<p>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 1 to and including Camp San Luis Obispo.</p>	
<p>GOLETA: (Mileage Basing Point, Goleta.) Within a radius of one mile of Southern Pacific Company's depot; also beyond one mile from that depot westerly along Highway U.S. 101 to a point one and one-quarter miles from the intersection of La Patera Avenue and said highway, and the territory bounded as follows:</p>	
<p>Beginning at the intersection of La Patera Avenue and Southern Pacific Company's right-of-way, easterly along said right-of-way to the one mile radius boundary, southerly along said boundary to Highway U.S. 101, westerly along Highway U.S. 101 to La Patera Avenue, northerly along La Patera Avenue to point of beginning.</p>	
<p>HANFORD: (Mileage Basing Point, Hanford.) All of the City of Hanford, also from the intersection of the western city limits and State Highway 198 (Lacey Boulevard) westerly along said highway for a distance of one-half mile, that territory east of the eastern city limits bounded on the north by State Highway 198 (Seventh Street) on the east by the Peoples Ditch Company Canal and on the south by the Southern Pacific Company right-of-way and from the intersection of State Highway 198 easterly for a distance of one and two-tenths miles.</p>	
(Continued)	

• Increase)
• Reduction) Decision No. 35924

EFFECTIVE DECEMBER 15, 1942

Correction No. 271

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)
	<p>PICKUP AND DELIVERY ZONES (Continued)</p> <p>MADERA: (Mileage Basing Point, Madera.) All of the City of Madera, also the territory bounded as follows:</p> <p>Beginning at the intersection of the northern and eastern city limits, thence easterly and northeasterly along Cleveland Avenue to its intersection with the prolongation of Tozer Street, southeasterly along the prolongation of Tozer Street and Tozer Street to County Road No. 28, southerly along County Road No. 28 to Highway U.S. 99, southeasterly along Highway U.S. 99 to Sayre Ranch Road (County Road No. 13), westerly along Sayre Ranch Road (County Road No. 13) to County Road No. 27, southerly along County Road No. 27 for a distance of three hundred feet, thence return via County Road No. 27 to Sayre Ranch Road (County Road No. 13), northerly along County Road No. 27 to its intersection with the southern city limits, easterly and northerly along the city limits to point of beginning.</p> <p>Beginning at the intersection of the western city limits and the south bank of the Fresno River, thence northerly to the point where the prolongation of the western city limits would meet the intersection of Highway U.S. 99 and Cleveland Avenue, easterly along Cleveland Avenue to the city limits paralleling the Southern Pacific Company right-of-way, southeasterly along said city limits to the south bank of the Fresno River, westerly along the south bank of the Fresno River to point of beginning.</p> <p>♦♦ MERCED: (Mileage Basing Point, Merced.) All of the City of Merced, also from the intersection of the northwestern city limits and Highway U.S. 99 (16th Street) northwesterly along said highway for a distance of one-half mile, also from the intersection of Highway U.S. 99 and Snelling Highway northerly along Snelling Highway for a distance of 1.7 miles, and the territory bounded as follows:</p> <p>Beginning at the intersection of 13th Street and the eastern city limits paralleling "G" Street, thence northeasterly along the city limits to Bear Creek Drive, easterly along Bear Creek Drive to Weston Way, southwesterly along Weston Way to East 21st Street, southeasterly along East 21st Street to Bennet Road, westerly along Bennet Road to the point where it would meet the prolongation of "B" Street, southwesterly along such prolongation and "B" Street to 13th Street, northwesterly along 13th Street to point of beginning.</p> <p>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 road to and including Mather Field.</p> <p style="text-align: center;">(Continued)</p>
<p>260-4-C Cancels 260-4-B</p>	
	<p>♦ Increase) ♦ Reduction) Decision No. 35924</p>
	<p>EFFECTIVE DECEMBER 15, 1942</p>
	<p>Issued by The Railroad Commission of the State of California, San Francisco, California.</p>
	<p>Correction No. 272</p>

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
260-6-D Cancels 260-6-C	PICKUP AND DELIVERY ZONES (Continued)
	<p>PITTSBURG: (Mileage Basing Point, Pittsburg.) All of the City of Pittsburg, also from the intersection of Front Street and Dairy Road at the western city limits northwesterly along said road to its end and the territories bounded as follows:</p> <p>From the east city limits at New York Slough, thence east following the waterfront to a point 1,000 feet east of Hooper Landing, westerly and southerly on Standard Oil Road to junction of County Highway and Extension of East Third Street, continuing south on County Highway and Columbia Street to eastern city limits, westerly and northerly along city limits to the eastern city limits at New York Slough.</p> <p>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 Broadway, thence north to Southern Pacific tracks, west to a point opposite Alves Lane, south to Highway 4-24, thence east on Highway 4-24 to North Broadway, thence return via Highway 4-24 and Ice House Road to northwest corner of City Park.</p> <p>♦ From the intersection of the southwestern city limits and Kirker Pass Road easterly along unnumbered County Road for a distance of 7910 feet, southerly along an imaginary line to Central Valley Water Project Canal, westerly along said Canal to Kirker Pass Road, northerly along Kirker Pass Road to point of beginning.</p> <p>♦ From the intersection of the eastern city limits and State Highway 4-24 easterly along State Highway 4-24 to County Road D-1, northerly along County Road D-1 to Atchison, Topeka and Santa Fe Railway right-of-way, easterly along said right-of-way for a distance of 1572 feet, southerly along an imaginary line to State Highway 4-24, westerly along State Highway 4-24 to County Road D-1.</p> <p>RED BLUFF: (Mileage Basing Point, Red Bluff.) All of the City of Red Bluff, also territory located within one and one-half miles of the city limits.</p> <p>REDDING: (Mileage Basing Point, Redding.) Including all of the City of Redding, also the territory bounded as follows:</p> <p>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.</p> <p>Beginning at the intersection of the southern city limits and State Highway No. 44, thence southeasterly along State Highway No. 44 for a distance of one-quarter mile, thence return via State Highway No. 44 to city limits.</p> <p>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 limits.</p> <p>REDWOOD CITY: (Mileage Basing Point, Redwood City.) All of the city of Redwood City, also the Pacific Portland Cement Company plant located adjacent thereto and the territory bounded as follows:</p> <p>Beginning at the intersection of Orchard Avenue and the southeastern city limits, southwesterly along said city limits and the Atherton city limits to Arlington Avenue, northwesterly along Arlington Avenue to the city limits at Woodside Road, northerly and southeasterly along said city limits to point of beginning.</p>

Beginning at the intersection of the eastern city limits and Middlefield Road, southeasterly along Middlefield Road to Northside Avenue to Stanford Avenue, southwesterly along an imaginary line to the intersection of Pacific Avenue and Middlefield Road, southerly along Pacific Avenue to Southern Pacific Company main line right-of-way, southeasterly along said right-of-way to Dumbarton Avenue, southwesterly along Dumbarton Avenue to the city limits at El Camino Real, northwesterly along El Camino Real to Charter Street, northeasterly along Charter Street to point of beginning.

(Continued)

♦ Increase)
♦ Reduction) Decision No. 35924

EFFECTIVE DECEMBER 15, 1942

Correction No. 273 Issued by The Railroad Commission of the State of California,
San Francisco, California.