

Decision No. 36054

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment)
of maximum or minimum, or maximum)
and minimum rates, ruled 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

Minimum rates, rules and regulations have been established in this proceeding (41 C.R.C. 671, as amended) for the transportation of property by common, radial highway common and highway contract carriers. Zones have been prescribed to designate the areas within which rates established for pickup and delivery service are applicable. The Atchison, Topeka and Santa Fe Railway Company seeks enlargement of the zoning arrangement at Riverbank. James R. Proper, doing business as Los Angeles-Trona Stages, seeks exemption from observance of the prescribed minimum rates in so far as express shipments of 100 pounds or less are concerned.

Evidence relative to the Santa Fe's proposal was received at a public hearing had at San Francisco on December 14, 1942, before Examiner Mulgrew. Proper's request appears to be a matter in which a public hearing is not necessary.

Riverbank's present pickup and delivery zone and its incorporated area are coextensive. Under the proposed zoning arrangement the pickup and delivery limits would be extended so as to embrace a specified contiguous area which has become a part of the community of Riverbank although not annexed by the city. The proposal, it is represented, is designed to permit like service to be given throughout the community at the same rates. In all important respects service from and to the outlying area in question is said to be similar to that now rendered within the existing zone.

No one opposed the establishment of the proposed enlarged zone.

It appears that transportation conditions surrounding pickup and delivery service in the area proposed to be added to the present zone and those surrounding like service within that zone are substantially similar, and that the sought rate equality is justified. The proposed zoning arrangement 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.

James R. Proper is not a respondent in this proceeding. His petition seeking exemption is therefore unnecessary and will be dismissed.

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 Decision No. 31606 of December 27, 1938, as amended, in this proceeding, be and it is hereby further amended by substituting in Highway Carriers' Tariff No. 2 (Appendix

"D" of Decision No. 31606, as amended), to become effective March 1, 1943, Fifth Revised Page 31-A Cancels Fourth Revised Page 31-A, which page is attached hereto and by this reference made a part hereof.

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 March 1, 1943, on not less than three (3) days' notice to the Commission and to the public.

IT IS HEREBY FURTHER ORDERED that the petition of James R. Proper, doing business as Los Angeles-Trona Stages, filed November 7, 1942, be and it is 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 27th day of December, 1942.

Justin F. Casner

Francis D. Havens
Richard L. Laska

Commissioners

Item
No.

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

PICKUP AND DELIVERY ZONES (Continued)

RICHMOND: (Mileage Basing Point, Richmond.) 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 Certain-Teed Products Corporation, Mayer Bros., Paragon Metal Container Co., Rheem Manufacturing Co., Standard Sanitary Manufacturing Co. (Pacific Pottery Works), and Standard Oil Co. (Tank Farm).

•• **RIVERBANK:** (Mileage Basing Point, Riverbank.) All of the City of Riverbank, also the territory bounded as follows:

Beginning at the intersection of the eastern city limits and California Avenue, easterly along California Avenue to Claus Road, southerly along Claus Road to Kentucky Avenue, easterly along Kentucky Avenue for a distance of 2730 feet, southerly along an imaginary line to Claribel Road, westerly along Claribel Road to Claus Road, northerly along Claus Road to Van Dusen Avenue, westerly along Van Dusen Avenue to Terminal Street, northerly along Terminal Street to its intersection with the city limits at California Avenue, easterly along the city limits to point of beginning.

ROSEVILLE: (Mileage Basing Point, Roseville.) All of the City of Roseville, also from the intersection of the southern city limits and Highway U.S. 40, southerly along said highway for a distance of one mile.

SACRAMENTO: (Mileage Basing Point, Sacramento.) All of the City of Sacramento, also territory located within one mile of the city limits and the territory bounded as follows:

Beginning at the point where Highway U.S. 40-Highway U.S. 99E (Del Paso Boulevard) intersects the northern city limits of Sacramento along said highway to Rio Linda Boulevard, northeasterly along Rio Linda Boulevard to Nogales Avenue, southeasterly along Nogales Avenue to 10th Street, southerly along 10th Street to East El Camino Avenue, easterly along East El Camino Avenue to 11th Street, southerly along 11th Street to Bassotlaw Avenue, southeasterly along Bassotlaw Avenue to its junction with Swanston Road at Swanston Station including the plants of C. Swanston & Son, Lumbormon's Supply, Inc., Sacramento Wool Company, Sacramento Food Company and the Essex Lumber Company, returning westerly along Bassotlaw Avenue to its junction with Highway U.S. 40-99E (Del Paso Boulevard) and along Del Paso Boulevard to point of beginning.

SAN FRANCISCO: (Mileage Basing Point, San Francisco.) 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 Avenue, southwesterly along Tanforan Avenue to the western side of the Southern Pacific's Valencia Street line right-of-way, northwesterly along the western side of said right-of-way to Orange Avenue, northeasterly along Orange Avenue to Railroad Avenue, easterly along Railroad Avenue to Bay Shore Highway, northerly along Bay Shore Highway to Main Street, westerly along Main Street to Schwerin Street, northerly along

260-7-E
Cancels
260-7-D

Schwerin Street to Partridge Street, westerly along Partridge Street 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 Street 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.

(Continued)

♦ Increase }
♦ Reduction } Decision No. 36054

EFFECTIVE MARCH 1, 1943

Correction No. 274 Issued by The Railroad Commission of the State of California,
San Francisco, California.