

Decision No. 36835

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
PACIFIC MOTOR TRUCKING COMPANY, a)
corporation, for a certificate of)
public convenience and necessity)
authorizing service as a common)
carrier of property by motor vehicle)
in pickup-and-delivery service for)
itself, Pacific Electric Railway)
Company and Southern Pacific Company)
between Los Angeles and adjacent)
territory.)

Application No. 25630

BY THE COMMISSION:

O P I N I O N

Pacific Motor Trucking Company, a corporation, has filed an application for a certificate of public convenience and necessity authorizing it to perform a highway common carrier service for the transportation of property between stations of Pacific Motor Trucking Company, Southern Pacific Company and Pacific Electric Railway Company in certain described zones and points and places within such zones.

Service from the rail and truck stations in each of the said zones involves truck operation to points located both inside and outside of the corporate limits of the city of Los Angeles. The limitations of the various zones are as follows:

Los Angeles Zone - Includes part or all of the cities of Los Angeles, Vernon, Huntington Park, South Gate, Maywood, Montebello and Bell, and unincorporated county area;

Inglewood Zone - Includes, in addition to territory within the city limits of Inglewood, territory within the city of Los Angeles and unincorporated county area;

Culver City Zones - Include, in addition to territory within the city limits of Culver City, territory within the city of Los Angeles and unincorporated county area;

Beverly Hills Zones - Include territory within the city of Beverly Hills and the city of Los Angeles;

Glendale Zone - As it is proposed to be extended, includes, in addition to territory within the city of Glendale, territory within the city of Los Angeles;

Watts Zones - Include territory within the cities of Los Angeles, Lynwood, Compton and South Gate, in addition to unincorporated county area;

Gardena Zone - Includes, in addition to territory within the city limits of Gardena, territory within the city of Los Angeles and unincorporated county area.

The service which applicant proposes to render is an "on-call" service and consists of pickup-and-delivery of shipments which have moved into or which will move out of each of the zones hereinafter described in line-haul service of Pacific Electric Railway Company, Southern Pacific Company, or Pacific Motor Trucking Company under presently authorized line-haul operations of these carriers. Applicant does not propose to transport any shipments moving locally between any of the zones described below, nor does it propose to transport shipments having both origin and destination within any of said zones.

Applicant proposes to perform the pickup-and-delivery service under a joint rate arrangement between itself and the railway companies and to operate over any and all public streets and highways that may be convenient within the described zones.

As justification for the authority sought, applicant alleges as follows:

Applicant and Pacific Electric Railway Company are wholly owned subsidiaries of Southern Pacific Company; said companies and applicant have filed with this Commission tariffs naming pickup-and-delivery rates between points on their lines within the State of California which, in the vicinity of Los Angeles, are applicable within defined pickup-and-delivery zones; neither Southern Pacific Company nor Pacific Electric Railway Company operate motor trucks in the performance of such pickup-and-delivery service within said zones and such pickup-and-delivery service is rendered by equipment of applicant or its contract draymen; the operations for which a certificate is herein sought will be coordinated with the rail operations of said rail carriers and with the truck operations of applicant; applicant, through utilization of its own equipment or that of its contract draymen, is now providing pickup-and-delivery service within said zones on interstate traffic and this certificate is being sought in order to provide a like service on traffic moving under intrastate rates; thus affording to the shipping public in the territory proposed to be served by applicant a complete, coordinated and improved transportation service on traffic originating or terminating in each of the zones hereinabove described.

All other common carriers of property now authorized to conduct operations to, from or between the cities and county proposed to be served were duly supplied with copies of this application and have advised the Commission in writing that they have no objection to the granting of the certificate as prayed for.

It appears that this is not a matter in which a public hearing is necessary and that the authority sought is in the public interest. The application will be granted.

Pacific Motor Trucking Company is placed upon notice that "operative rights" as such do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside

from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the State which is not in any respect limited to the number of rights which may be given.

O R D E R

Application having been made in the above-entitled matter and the Commission being duly advised, and hereby finding that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity is granted to Pacific Motor Trucking Company, a corporation, authorizing the transportation of property as a highway common carrier, as such term is defined in Section 2-3/4, Public Utilities Act, between the stations of Pacific Motor Trucking Company, Southern Pacific Company and Pacific Electric Railway Company within the following described zones, on the one hand, and all points and places within said zones, on the other hand.

LOS ANGELES

Beginning at the intersection of 92nd St. and Alameda St., thence southerly on Alameda St. to Century Blvd., easterly on Century Blvd. to Santa Fe Ave., northerly on Santa Fe Ave. to Tweedy Blvd., easterly on Tweedy Blvd. to Stanford Ave., northerly on Stanford Ave. to Southern Ave., easterly on Southern Ave. to Atlantic Ave., southerly on Atlantic Ave. to Stewart and Grey Road, easterly on Stewart and Grey Road to the west bank of the Los Angeles River, northerly along the west bank of the Los Angeles River to Gage Ave., easterly on Gage Ave. to Garfield Ave., northeasterly on Garfield Ave. to Anaheim Telegraph Road, southeasterly on Anaheim Telegraph Road to Church St., northeasterly on Church St. and its prolongation across The Atchison,

Topeka and Santa Fe right-of-way to Vail Ave., northeasterly on Vail Ave. to Ferguson Drive, westerly on Ferguson Drive to Gerhart St., northerly on Gerhart St. to Hubbard Ave., westerly on Hubbard Ave. and its prolongation to Eastern Ave., southerly on Eastern Ave. to Whittier Blvd., westerly on Whittier Blvd. to Downey Road, northerly on Downey Road to Hubbard Ave., westerly on Hubbard Ave. to Indiana St., northerly on Indiana St. and its prolongation to City Terrace Drive, northerly on City Terrace Drive to Ramona Blvd., northeasterly on Ramona Blvd. to Eastern Ave., northerly on Eastern Ave. and Marianna Ave. to Valley Blvd., westerly on Valley Blvd. to Mission Road, northeasterly on Mission Road to North Broadway, westerly on North Broadway to Griffin Ave., northerly on Griffin Ave. to Avenue 35, westerly on Avenue 35 to Pasadena Ave., northerly on Pasadena Ave. to North Figueroa St., southwesterly on North Figueroa St. to Amabel St., northwesterly on Amabel St. and Isabel St. to Macon St., southwestwesterly on Macon St. to Cypress Ave., northwestwesterly on Cypress Ave. and its prolongation to the intersection of San Fernando Road and Eagle Blvd., northwestwesterly on San Fernando Road to Edward Ave., northerly on Edward Ave. to Marguerite St., southwestwesterly on Marguerite St. to West Avenue 32, northwestwesterly on West Avenue 32 to the boundary of Forest Lawn Memorial Park, southwestwesterly and northwestwesterly along the boundary of Forest Lawn Memorial Park to Rossllyn St., southwestwesterly on Rossllyn St. to San Fernando Road, southeasterly on San Fernando Road to Tyburn St., southwestwesterly on Tyburn St., and its prolongation across the Southern Pacific Company right-of-way to Casitas Ave., southeasterly on Casitas Ave. to Fletcher Drive, southwestwesterly on Fletcher Drive to Glendale Blvd., northwestwesterly on Glendale Blvd., and Rowena Avenue to Hyperion Ave., southwestwesterly on Hyperion Ave. to Fountain Ave., westerly on Fountain Ave. to Normandie Ave., southerly on Normandie Ave. to Wilshire Blvd., westerly on Wilshire Blvd. to Irolo St., southerly on Irolo St., to Olympic Blvd., westerly on Olympic Blvd. to Victoria Ave., southerly on Victoria Ave. to Exposition Blvd., easterly on Exposition Blvd. to Crenshaw Blvd., southerly on Crenshaw Blvd. to Stocker St., westerly on Stocker St. to Victoria Avenue, southerly on Victoria Ave. to Slauson Ave., westerly on Slauson Ave., to Brynhurst Ave., southerly on Brynhurst Ave. to 59th St., easterly on 59th St. to Van Ness Ave., southerly on Van Ness Ave. to 74th St., easterly on 74th St. to Normandie Ave., southerly on Normandie Ave. to 88th St., easterly on 88th St. to Hoover St., northerly on Hoover St. to 87th St., easterly on 87th St. to Figueroa St., southerly on Figueroa Street to 88th St., easterly on 88th St. to San Pedro St., northerly on San Pedro St. to 87th Place, easterly on 87th Place to Maie Ave., southerly on Maie Ave. to 92nd St., easterly on 92nd St. to point of beginning.

Beginning at the intersection of Hollywood Boulevard and Sunset Boulevard thence westerly on Hollywood Boulevard to La Brea Avenue; thence southerly on La Brea Avenue to Wilshire Boulevard; thence easterly on Wilshire

Boulevard to Crenshaw Boulevard; thence southwesterly on Crenshaw Boulevard to Olympic Boulevard; thence easterly on Olympic Boulevard to Irola Street; thence northerly on Irola Street to Wilshire Boulevard; thence easterly on Wilshire Boulevard to Normandie Avenue; thence northerly on Normandie Avenue to Fountain Avenue; thence easterly on Fountain Avenue to Sunset Boulevard; thence northwesterly on Sunset Boulevard to Hollywood Boulevard or point of beginning.

Beginning at the intersection of Victoria Ave. and Angeles Vista Blvd., southwesterly on Angeles Vista Blvd. to Slauson Ave., westerly on Slauson Ave. to Los Angeles City Limits, southerly and westerly along Los Angeles City Limits to Overhill Dr., southerly on Overhill Dr. to 64th St., easterly on 64th St. to West Blvd., southerly on West Blvd. to 74th St., easterly on 74th St. to Victoria Ave., southerly on Victoria Ave. to 79th St., easterly on 79th St. to 8th Ave., northerly on 8th Ave. to 76th St., easterly on 76th St. to Van Ness Ave., southerly on Van Ness Ave. to Manchester Blvd., easterly on Manchester Blvd., to Western Ave., southerly on Western Ave. to Los Angeles City Limits, easterly and northerly along Los Angeles City Limits to Normandie Ave., northerly on Normandie Ave. to 74th St., westerly on 74th St. to Van Ness Ave., northerly on Van Ness Ave. to 59th St., westerly on 59th St. to Brynhurst Ave., northerly on Brynhurst Ave. to Slauson Ave., easterly on Slauson Ave. to Victoria Ave., northerly on Victoria Ave. to point of beginning.

Beginning at the intersection of Fletcher Drive and West Ave. 32, northeasterly on Fletcher Drive to Verdugo Road, northerly on Verdugo Road to York Blvd., easterly on York Blvd. to Eagle Rock Blvd., northerly on Eagle Rock Blvd. to Colorado Blvd., easterly on Colorado Blvd. to El Modena Ave., easterly on El Modena Ave. to Los Angeles City Limits, southeasterly along the City Boundary Line to Avenue 64, southerly on Avenue 64 to Pasadena Ave., westerly on Pasadena Ave. to Figueroa St., southwesterly on Figueroa St. to Amabel St., northwesterly on Amabel St. and Isabel St. to Macon St., southwesterly on Macon St. to Cypress Ave., northwesterly on Cypress Ave. and its prolongation to the intersection of San Fernando Road and Eagle Rock Blvd., northwesterly on San Fernando Road to Edward Ave., northerly on Edward Ave. to Marguerite St., southwesterly on Marguerite St. to West Ave. 32, northwesterly on West Ave. 32 to point of beginning.

-also-

Beginning at the intersection of North Broadway and Mission Road, northeasterly on Mission Road to Huntington Drive North, northeasterly on Huntington Drive North and Huntington Drive to Los Angeles City Limits southerly and westerly along Los Angeles City Limits to Marianna Ave., northeasterly on Marianna Ave. to Valley Blvd. westerly on Valley Blvd. to Mission Road, northeasterly on Mission Road to point of beginning.

Beginning at the intersection of City Terrace Drive and Ramona Boulevard, easterly on Ramona Blvd. to Eastern Ave., northerly on Eastern Ave. to Los Angeles City Limits, easterly along Los Angeles City Limits and Alhambra City Limits to Garvey Ave., southeasterly on Garvey Ave. to Monterey Park City Limits, southerly along Monterey Park City Limits to Atlantic Ave., southwesterly on Atlantic Ave. to Hubbard Ave., westerly on Hubbard Ave. and its prolongation to Eastern Ave., southerly on Eastern Ave. to Whittier Blvd., westerly on Whittier Blvd. to Downey Road, northerly on Downey Road to Hubbard Ave., westerly on Hubbard Ave. to Indiana St., northerly on Indiana St. to City Terrace Drive, northeasterly on City Terrace Drive to point of beginning.

Beginning at the intersection of Gage Ave. and Jaboneria Road southwesterly on Jaboneria Road to Florence Ave., westerly on Florence Ave., to the east bank of the Los Angeles River, northerly along the east bank of the Los Angeles River to Gage Ave., easterly on Gage Ave. to point of beginning.

INGLEWOOD

City limits; also the following area: Beginning at the intersection of Arbor Vitae and Portal Ave.; north on Portal Ave. to Manchester Ave.; west on Manchester Ave. to Sepulveda Blvd.; south on Sepulveda Blvd. to Imperial Highway; east on Imperial Highway to Inglewood city limits, thence along Inglewood city limits to starting point.

CULVER CITY

Zone 1.- Beginning at the intersection of Washington Blvd., and Sawtelle Blvd.; northerly on Sawtelle Blvd. to Culver City city limits; northeasterly along Culver City city limits to National Blvd., northwesterly on National Blvd. to Venice Blvd.; northeasterly on Venice Blvd. to Hutchison Ave.; southerly on Hutchison Ave. to intersection with Culver City city limits; northeasterly along Culver City city limits to a point near Burchard St.; continuing southwesterly along Culver City city limits to Ballona Creek; southwesterly along Ballona Creek to Duquesne St.; northwesterly on Duquesne St. to Culver Blvd.; southwesterly on Culver Blvd. to Overland Ave.; northerly on Overland Ave. to Washington Blvd., and thence westerly on Washington Blvd. to point of beginning.

Zone 2.- Beginning at the intersection of Sawtelle Blvd. and Culver City city limits; northerly on Sawtelle Blvd. to National Blvd. easterly on National Blvd. to Exposition Blvd.; easterly on Exposition Blvd. to National Blvd.; easterly and southerly on National Blvd., across Venice Blvd. to Culver City city limits and continuing southwesterly along Culver City city limits to point of beginning including Club House of California Country Club.

BEVERLY HILLS

Zone 1.- Beginning at the intersection of Sunset Boulevard and the western city limits of Beverly Hills; southeasterly and easterly along the city limits of Beverly Hills to Camden Drive; southeasterly on Camden Drive to Pico Blvd; easterly on Pico Blvd. to Robertson Blvd; northerly on Robertson Blvd. to Olympic Blvd; easterly on Olympic Blvd. to La Cienega Blvd; northwesterly along the boundary of the City of Beverly Hills to Sunset Boulevard; and thence along Sunset Blvd. to point of beginning.

Zone 2.- Beginning at the intersection of Beverly Blvd. and the eastern boundary of the City of Beverly Hills; easterly on Beverly Blvd. to Fairfax Ave.; southerly on Fairfax Ave. to Olympic Blvd.; westerly on Olympic Blvd. to La Cienega Blvd., and thence northwest-erly along the boundary of the City of Beverly Hills to point of beginning.

Zone 3.- Beginning at the intersection of Pico Blvd. and Robertson Blvd., and thence northerly on Robertson Blvd. to Olympic Blvd.; thence easterly on Olympic Blvd. to Fairfax Ave.; southerly on Fairfax Ave. to Pico Blvd., and thence westerly along Pico Blvd. to point of beginning.

GLENDALE

All of the City of Glendale, also the territory bounded as follows:

Beginning at the intersection of the City Limits and Los Feliz Blvd., thence southwesterly on Los Feliz Blvd. to the east bank of the Los Angeles River, thence northwesterly along the east bank of the Los Angeles River to Glendale city limits, easterly and southeasterly along Glendale city limits to starting point.

WATTS

Beginning at the intersection of 88th St. and Vermont Ave., southerly on Vermont Ave. to Imperial Highway, easterly on Imperial Highway to Athens Way, south on Athens Way to 120th St., easterly on 120th St. to Stanford Ave., northerly on Stanford Ave. to 117th St., easterly on 117th St. to Belhaven St., northerly on Belhaven St. to Imperial Highway, easterly on Imperial Highway to Central Ave., southerly on Central Ave. to Imperial Highway, easterly on Imperial Highway to Alameda St., southerly on Alameda St. to Dixon, easterly on Dixon to Cedar Ave., southeasterly on Cedar Ave. to Long Beach Blvd., northerly on Long Beach Blvd. to Southern Ave., westerly on Southern Ave., to Stanford Ave., southerly on Stanford Ave. to Tweedy Blvd., westerly on Tweedy Blvd. to Santa Fe Ave., southerly on Santa Fe Ave. to Century Blvd., westerly on Century Blvd. to Alameda St., northerly on Alameda St. to 92nd St.,

westerly on 92nd St. to Maie Ave., northerly on Maie Ave. to 87th Place, westerly on 87th Place to San Pedro St., southerly on San Pedro St. to 88th St., westerly on 88th St. to Figueroa St., northerly on Figueroa St. to 87th St., westerly on 87th St. to Hoover St., southerly on Hoover St. to 88th St., westerly on 88th St. to point of beginning.

Beginning at the intersection of Vermont Ave. and Imperial Highway westerly on Imperial Highway to Western Ave., northerly on Western Ave. to Los Angeles City Limits, north and east along Los Angeles City Limits to 88th St., east on 88th St. to Vermont Ave., southerly on Vermont Ave. to point of beginning.

GARDENA ZONE

Beginning at the intersection of Cypress Ave. and Dominguez St., easterly on Dominguez St. to Victoria St., thence on Victoria St. to Avalon Blvd., northerly on Avalon Blvd. to Rosecrans Ave., westerly on Rosecrans Ave. to Vermont Ave., northerly on Vermont Ave. to El Segundo Blvd., returning southerly on Vermont Ave. to Rosecrans Ave. westerly on Rosecrans Ave. to Cypress Ave. and southerly on Cypress Ave. to starting point.

subject to the following restrictions and conditions:

1. Applicant shall not transport any shipments between any of the separately described zones, nor transport shipments having both origin and destination within any of said zones.
2. Applicant's service shall be limited to the transportation of shipments which shall have received, or will receive, in addition to the movement by applicant, an immediately prior or subsequent movement by rail.
3. The authority herein granted is subject to the provisions of Section 52(b) of the Public Utilities Act and further to the condition that Pacific Motor Trucking Company, its successors or assigns, shall never claim before this Commission, or any court or other public body, a value for said operative rights or claim as the cost thereof, an amount in excess of that paid to the State as the consideration for such rights.

IT IS FURTHER ORDERED that in the operation of said highway common carrier service, Pacific Motor Trucking Company shall comply with and observe the following service regulations:

- (1) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
- (2) Applicant shall comply with the rules of the Commission's General Order No. 80 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public.
- (3) Applicant shall conduct said highway common carrier service over and along all available public highways between the points herein authorized to be served.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 25th day of January, 1944.

Richard L. Locke

Justus F. Coe
Francis R. Havens

COMMISSIONERS