

Decision No. 50158**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 COAST LINE TRUCK SERVICE, INC., a)
 corporation, for a new certificate)
 of Public Convenience and Necessity)
 comprehending all operations con-)
 ducted by it as a Highway Common)
 Carrier as that term is defined in)
 Section 213 of the Public Utilities)
 Code of the State of California.)

Application No. 35125
 (As Amended)

O P I N I O N

The applicant is asking in this proceeding for an in lieu certificate of public convenience and necessity as a highway common carrier of property. Its operative rights were obtained from various sources. Some were obtained through grants of this Commission, the first one being Decision No. 28960 in Application No. 20111, dated July 3, 1936; and others by purchase from other transportation companies.^{1/} There have been many overlappings and extensions. The result is that considerable confusion exists about the precise authority of applicant.

The original application herein attracted a number of protests both with respect to the rights themselves and to any granting of the requested authority without a hearing as had been sought. Prolonged negotiations followed, resulting in the filing of an amendment to the application on April 22, 1954. In consequence thereof the protests have been withdrawn.

Applicant has a main terminal in Watsonville and others in San Francisco, San Jose, Salinas, Oakland and Los Angeles. The carrier serves around Monterey Bay and part of Santa Clara County

^{1/} Some of the purchased rights are older than applicant's granted rights.

and from those areas to San Francisco Bay points and Los Angeles territory. Its broadest rights are in the field of fresh fruits and vegetables. There are general commodity rights somewhat more limited in scope, and rights still more limited for flowers, fish, rabbits, poultry and eggs.

Applicant alleges in support of its request that, if granted, the rights of applicant can be ascertained by reference to a single certificate; that inconveniences and confusion will be eliminated; and that operating economies will result both in the publication of tariffs and otherwise.

In our opinion it is in the public interest to have the certificates of transportation companies kept as simple as the nature of their rights will permit. Therefore we will grant the request of applicant for a new certificate to replace those now held by it.

Coast Line Truck Service, Inc., is hereby 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 and amended and the Commission being of the opinion and finding that a public hearing is not necessary and that public convenience and necessity so require;

IT IS ORDERED:

1. That a certificate of public convenience and necessity is hereby granted to Coast Line Truck Service, Inc., authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 213 of the Public Utilities Code as follows:

I. General commodities, excluding commodities in bulk, livestock, used household goods, autos or trucks set up, and commodities which by reason of size, weight or bulk require the use of special equipment, provided however that applicant shall not be precluded from using mechanical tail gates or other mechanical loading or unloading devices.

(a) Between San Francisco, on the one hand, and points in the vicinity of Salinas in the territories described as follows, on the other hand:

(1) Beginning at the intersection of the San Juan Grade Road and the northeasterly boundary of Monterey County, thence southwesterly along said road to its intersection with U.S. Highway 101 approximately 3 miles north of Salinas, thence along U.S. Highway 101 to the City of Salinas, thence along the Salinas-Monterey Highway to its intersection with the Marina-Hilltown Road including all points within three miles laterally of the hereinabove-described routes.

(2) Beginning at a point formed by the intersection of U.S. Highway 101 with the Salinas-Watsonville Highway in the City of Salinas, thence northwesterly along said Salinas-Watsonville Highway to a point formed by the intersection of said Salinas-Watsonville Highway with Dolan Road just north of Moss Landing, including all points on all highways in the territory for a distance of three miles laterally of the hereinabove-described routes.

(b) Between San Francisco, on the one hand, and Fort Ord, on the other hand.

(c) Between Watsonville and Salinas.

(d) Between Watsonville, on the one hand, and San Jose and San Francisco, on the other hand.

- (e) Between all points and places in Pajaro Valley territory, defined as all points on the main highway in Pajaro Valley from Aptos on the west, through Watsonville to Betabel in the east, including Aptos, Aromas, Betabel, and Watsonville, and via highways diverging from said main Pajaro Valley highway from and to points located within six miles on either side of said main Pajaro Valley highway.
- (f) Between Pajaro Valley territory, on the one hand, and Oakland, Emeryville, and San Leandro, on the other hand.
- (g) Between the Los Angeles territory described as follows:

Beginning at the intersection of Sunset Boulevard and U.S. Highway No. 101; alternate, thence northeasterly along Sunset Boulevard to State Highway No. 7; northerly along State Highway No. 7 to State Highway No. 118; northeasterly along State Highway No. 118 through and including the City of San Fernando, continuing northeasterly and southeasterly along State Highway 118 to and including the City of Pasadena. Easterly along U.S. Highway No. 66 to State Highway No. 19; southerly along State Highway No. 19 to its intersection with U.S. Highway No. 101, alternate, at Ximeno Street; southerly along Ximeno Street and its prolongation to the Pacific Ocean; westerly and northerly, along the shore line of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and U.S. Highway 101, alternate; thence northerly along an imaginary line to point of beginning, on the one hand, and

Salinas, Monterey, Pacific Grove, Watsonville, Santa Cruz, Davenport and points intermediate thereto in Monterey and Santa Cruz Counties and all points and places named in Paragraphs (a), (b), (d), and (f), hereinabove, on the other hand.

II. Fresh fruits, fresh vegetables and berries, including mushrooms:

- (a) From Santa Cruz, Pomponio Creek and intermediate points; Santa Cruz, Aptos Creek and intermediate points; Santa Cruz, Lexington and intermediate points; and Soquel and Holy City and intermediate points when originating at the farms, ranches and packing houses within two miles of the highway traversed between said points, on the one hand, to commission markets, canneries, packing houses in Oakland, San Leandro and Emeryville, on the other hand.

- (b) To San Francisco and Oakland, on the one hand, from points in Santa Clara County, on the other hand, as follows:

San Jose, Santa Clara, Evergreen Berryessa, Morgan Hill and Gilroy and all points within five miles of said places exclusive of any points south of Gilroy; Agnew, Lawrence, Cupertino, Maridian, Edenvale, Robertsville, Coyote, Alum Rock Park and all points within three miles thereof, and Campbell and all points within five miles thereof, but exclusive of Sunnyvale and exclusive of any point west or south of the Southern Pacific Railway right of way between Monte Vista and its junction with said right of way between San Jose and Los Gatos, or south or west of Shannon Road or Downer Avenue; all points and places along U.S. Highway 101 between Gilroy and San Jose and between San Jose and the intersection of U.S. Highway 101 with Lawrence Road and within three miles of said highway along either side thereof; all points and places along State Highway No. 17 between San Jose and Milpitas, and along Alviso Road between Milpitas and Alviso and within two miles of said highway and road, along either side thereof, all points and places along State Highway No. 9 from Sunnyvale to Cupertino, and along the Stevens Creek Road from its intersection with State Highway No. 9 to its intersection with the Santa Clara-Saratoga Road, and within one mile of said highway and road, along either side thereof; along the Santa Clara-Saratoga Road between its intersection with the Stevens Creek Road and its intersection with the Southern Pacific Railway right of way, and along Highway No. 17 between its intersection with the Stevens Creek Road and its junction with the Santa Clara-Los Gatos Road and within three miles of said roads and highways along either side thereof.

- (c) From Pajaro Valley territory (as defined in Paragraph I (e) hereof), on the one hand, to San Francisco, Oakland, Mountain View and San Jose, on the other hand.

- (d) To Los Angeles, on the one hand, from, on the other hand:

- (1) Points and places located on and within three miles laterally of State Highway No. 1 between San Gregorio and Carmel;
- (2) All points and places located on and within three miles laterally of the main road between Castroville and Salinas;
- (3) All points and places located on and within three miles laterally of U.S. Highway No. 101 including Bayshore Highway and El Camino Real between San Francisco and Greenfield.
- (4) All points and places located on and within three miles laterally of State Highway No. 17 between San Jose and San Leandro;

- (5) All points and places located on and within three miles laterally of the highway extending from Warm Springs to San Leandro via Niles and Hayward;
- (6) All points and places located within a 10-mile radius of San Jose.
- (e) From Los Angeles to San Francisco, Oakland, Salinas, San Jose, Watsonville, and Santa Cruz.
- (f) For the transportation of all kinds of citrus fruits between:

Alta Loma	El Modena	La Mesa	Reseda
Anaheim	El Monte	La Mirada	Rialto
Arcadia	El Toro	La Verne	Rivera
Arlington	Escondido	Leffingwell	Riverside
Azusa	Etiwanda	Loma Linda	San Bernardino
Brea	Fillmore	Los Angeles	San Dimas
Bryn Mawr	Fontana	Mentone	San Fernando
Canoga Park	Frances	Mira Loma	San Juan Capistrano
Carpinteria	Fullerton	Monrovia	Santa Ana
Charter Oak	Garden Grove	Narod	Santa Barbara
Chino	Glendora	Ojai	Santa Paula
Claremont	Coleta	Olive	Saticoy
Colton	Hemet	Oxnard	Sierra Madre
Corona	Highgrove	Ontario	Simi
Covina	Highland	Orange	South Fontana
Crafton	Indio	Piru	Tustin
Cucamonga	Irvine	Placentia	Upland
Duarte	Irvine Ranch	Pomona	Ventura
East Highland	Kathryn	Port Hueneme	Villa Park
El Cajon	La Habra	Puente	Walnut
		Redlands	Whittier

on the one hand, and San Francisco, Oakland, San Jose, Salinas, Watsonville, Santa Cruz, points intermediate between San Jose and Oakland on State Highway No. 17 and points intermediate between San Jose and San Francisco on the U. S. Highway 101 and 101 Bypass, on the other hand.

III. Cut flowers, bulbs, poultry, rabbits, and eggs:

From Santa Cruz, Pomponio Creek and intermediate points; Santa Cruz, Aptos Creek and intermediate points; Santa Cruz, Lexington and intermediate points; and Soquel, Holy City and intermediate points when originating at the farms, ranches, and packing houses within two miles of the highway traversed between said points, on the one hand, to commission markets, canneries, packing houses, in Oakland, San Leandro, and Emeryville, on the other hand.

- IV. Fresh fish, abalone (in shells or sliced), abalone shells, poultry (live and dressed), and rabbits:

From Castroville and Carmel and points intermediate, including all points and places five miles laterally of the highway traversed between said points and the off-route point of Pacific Grove, on the one hand, to Oakland, San Francisco, and San Jose, on the other hand.

- V. Feed and farm supplies:

From San Francisco, Oakland, and San Jose, on the one hand, to Carmel and Castroville, and points intermediate, including five miles laterally of the highway traversed between said points of Carmel and Castroville and including the off-route point of Pacific Grove, on the other hand, provided however that applicant shall, within thirty days after the effective date of this order, file a definition of the terms "feed" and "farm supplies".

- VI. Petroleum and petroleum products, as defined in Appendix "A" to this decision, in metal containers, but not in bulk or in tank trucks:

Between refineries located at and in the vicinity of Richmond, Martinez, and Oleum, on the one hand, and points in Pajaro Valley territory (as defined in Paragraph I (e) hereof), on the other hand.

- VII. Empty containers:

To the points of origin of outbound movements of commodities described in Paragraphs 4 and 6.

2. In providing service pursuant to the certificate herein granted, applicant shall comply with the following service regulations:

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty days after the effective date hereof, and upon not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized.
- (c) Within sixty days after the effective date of this order, upon not less than one day's notice to the Commission and the public, applicant shall supplement or reissue its tariffs now on file with the Commission so as to establish rates, rules and regulations applicable to the

transportation herein authorized. Such supplement or reissue shall list the commodities included under the terms "feed", "farm supplies", and "petroleum and petroleum products".

(d) Applicant shall make use of the following routes:

- (1) Any and all State, County and City highways and roads when performing the transportation described in Paragraphs I (a), (b), (c), (d), (e), (f); II (a), (b), (c); III, IV, V, VI, VII.
- (2) U.S. Highway 101 from Los Angeles to Salinas, thence via the State, County or City highways, or roads most practical to the point of destination or the reverse thereof, when performing the transportation described in Paragraph I (g); 2 (d) and (e).
- (3) (a) When performing the transportation as described in Paragraph 2 (f), the following routes will be used:

Between Indio and Los Angeles:

U.S. Highway 99, including all highways within five miles laterally on each side thereof.

Between Highland and Los Angeles:

Unnumbered highway to San Bernardino, thence U.S. Highway 66, including all highways within five miles laterally on each side of U.S. Highway 66.

Between Beaumont and Los Angeles:

U.S. Highway 60, including all highways within five miles laterally on each side thereof.

Between Colton and Anaheim:

U.S. Highway 91, including all highways within five miles laterally on each side thereof.

Between El Cajon and Los Angeles:

U.S. Highway 80 to San Diego, thence U.S. Highway 101, including all highways within five miles laterally on each side of said highways.

Between San Diego and Riverside:

U.S. Highway 395, including all highways within five miles laterally on each side thereof.

Between Castaic Junction and Los Angeles:

U.S. Highway 99, including all highways within five miles laterally on each side thereof.

Between Castaic Junction and Ventura:

California Highway 126, including all highways within five miles laterally on each side thereof.

Between Ojai and Ventura:

U.S. Highway 399, including all highways within five miles laterally on each side thereof.

Between Santa Paula and Ojai:

California Highway 150, including all highways within five miles laterally on each side thereof.

Between Los Angeles and Goleta:

U.A. Highways 101 and 101 Alternate, including all highways within five miles laterally on each side thereof.

(b) Between the Southern California points as named in Paragraph II (f) and the Northern California points named in said Paragraph II (f); from the point of origin via the routes named in Paragraph (a) above, thence via the most practical route to U.S. Highway 101, thence via U.S. Highway 101 to either: (1) the point of destination, or (2) to the junction of the routes named in Paragraph I above, thence via said route to point of destination, or the reverse thereof.

3. All operating authority of Coast Line Truck Service, Inc., heretofore granted to said applicant or its predecessors in interest is hereby revoked and cancelled, said revocation and cancellation to be effective simultaneously with the establishment of the service authorized by this order.

4. Except as otherwise provided herein the effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 18 day of June, 1954.

[Signature]
President

[Signature]

[Signature]

Commissioners