

ORIGINAL

Decision No. 51139

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 HASLETT WAREHOUSE COMPANY, a corpora-)
 tion, for a certificate of public) Application No. 35376
 convenience and necessity to operate)
 as a highway common carrier for the)
 transportation of property.)

O P I N I O N

On January 10, 1955, Haslett Warehouse Company (hereinafter at times referred to as Haslett) filed a petition to modify Decision No. 50892 dated December 21, 1954, in Application No. 35376.

By said decision Haslett was authorized to transport shipments of general commodities, with certain exceptions, which originate at its warehouses in San Francisco and/or in Oakland, or which move through its distribution terminals in said cities, to Sacramento, Stockton, Turlock, San Jose and intermediate points.

By Decision No. 48008 dated December 2, 1952, in Application No. 32504, Haslett was authorized to expand a transbay grandfather operation by service between Oakland, Emeryville, Albany, Piedmont, Berkeley, Alameda, Melrose, Fruitvale and San Francisco, on the one hand, and, on the other hand, Richmond, San Pablo, El Sobrante, El Cerrito, San Leandro, San Lorenzo, Mount Eden, Alvarado, Hayward, Castro Valley, Daly City, Colma, South San Francisco, San Bruno and all intermediate points via U. S. Highways 101 and 101 By-Pass, 101 Alternate, 50, 40, California State Highways 9 and 17, and unnumbered highways. Said transbay operations are unrestricted.

In its petition Haslett requests that its operative rights be amended in accordance with Decision No. 50872 dated December 14,

1954, in Case No. 5535. By said decision the Commission established a "San Francisco-East Bay Cartage Zone" and invited existing highway common carriers possessing less broad authority within the area to seek an expansion of their rights to conform with the described zone.

A reply to the petition was filed on January 22, 1955, by Highway Transport, Inc., and Merchants Express Corporation. They take the position that applicant has no authority at the present time to serve peninsula points below San Bruno to and including San Mateo on an unrestricted basis. Decision No. 50872 in Case No. 5535, they contend, did not contemplate the amendment of previous decisions, but invited the filing of new applications. Therefore, they argue, Haslett has not followed the proper procedure.

Haslett has operated within the so-called Cartage Zone for many years without restrictions. Decision No. 50872 was an invitation to such carriers as Haslett to extend their present rights. It is true that said decision invites the filing of applications, but it did not specifically so limit the procedure.

The Commission, therefore, finds that public convenience and necessity require that the authority sought be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That ordering paragraph (1) as described in Decision No. 50892 dated December 21, 1954, in Application No. 35376, is hereby amended to read as follows:

"(1) That a certificate of public convenience and necessity is hereby granted to Haslett Warehouse Company authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of shipments of general commodities, except uncrated household

goods, petroleum products in bulk, livestock, and commodities requiring insulated equipment under mechanical refrigeration, between all points and places in the San Francisco-East Bay Cartage Zone as set forth in Appendix "C" of Decision No. 50872 dated December 14, 1954, in Case No. 5535, via any and all streets, roads, highways and bridges therein. Also for the transportation of shipments as described above:

"(a) Which originate at warehouses operated by applicant in San Francisco and/or Oakland for delivery to Sacramento, Stockton, Turlock and San Jose and intermediate points (except those within the above-described San Francisco-East Bay Cartage Zone) on and along the routes hereinafter set forth;

"(b) Which move through the present Haslett Warehouse Company distribution terminals in San Francisco and/or Oakland for delivery and distribution to the same points specified in (1)(a) above, provided said shipments move to or from a warehouse customer of applicant having a current storage account in one or more of its warehouses."

(2) That applicant's existing operative rights are hereby revoked to the extent that they duplicate service between points

within the above-described "San Francisco-East Bay Cartage Zone."

(3) that the service requirements contained in paragraphs 3(a) and 3(b) of Decision No. 50692 are hereby extended to thirty and sixty days, respectively, after the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 23rd day of February, 1955.

[Signature]
President
[Signature]
[Signature]

Commissioners