

Decision No. 52069**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of EVELYN O. SIMMONDS, doing busi-
ness as WEST BERKELEY EXPRESS AND
DRAYING CO., for a certificate of
public convenience and necessity
to operate as a highway common
carrier.

Application No. 36147

O P I N I O N

Evelyn O. Simmonds is engaged in the transportation of property in California pursuant to permits and certificates of public convenience and necessity issued by this Commission.

Applicant seeks an order authorizing the extension of her services as a highway common carrier to the transportation of general commodities, with certain exceptions, generally between San Francisco and San Jose and intermediate points; Crockett and Vallejo; Oakland and Concord; Warm Springs and Pacheco.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

Upon consideration of the allegations of the application and the representations filed pursuant to the above-mentioned notice, the Commission finds that public convenience and necessity require that the application be granted in the manner set forth in the ensuing order. It appears that applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the operation authorized herein. A public hearing is not necessary.

O R D E R

The Commission has considered the application and representations filed herein, Now Therefore

IT IS ORDERED:

(1) That ordering paragraph 1 of Decision No. 46966 dated April 8, 1952, in Application No. 32113, as amended by Decision No. 48724 dated June 16, 1953, in Application No. 33974, as amended by Decision No. 51216 dated March 15, 1955, in Application No. 36668, is further amended to read as follows:

"That a certificate of public convenience and necessity is hereby granted to Evelyn O. Simmonds authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 213 of the Public Utilities Code:

- (a) For the transportation of general commodities, except household goods, petroleum products in bulk, fresh fruits and vegetables, and commodities requiring refrigeration, between San Francisco, South San Francisco, Pittsburg, Hercules, Oleum, Crockett, Avon, Shell Point, Clyde, Port Chicago, Nichols, Antioch, Martinez, Stege, San Pablo, Richmond, El Cerrito, Albany, Berkeley, Emeryville, Oakland, Piedmont, Alameda, San Leandro, San Lorenzo, Castro Valley, Hayward, Newark, Alvarado, Decoto, Centerville, Irvington, Niles, Milpitas, Santa Clara and San Jose, and all intermediate points.
- (b) For the transportation of general commodities, except petroleum products in bulk in tank vehicles and uncrated used household goods, between all points and places in the 'San Francisco-East Bay Cartage Zone' as described and delineated in Appendix 'A' hereto attached and by this reference made a part hereof; viz any and all streets, roads, highways and bridges located within said zone."

(2) That a certificate of public convenience and necessity is granted to Evelyn O. Simmonds, authorizing her to operate as a highway common carrier as defined by Section 213 of the

Public Utilities Code for the transportation of property between the points as more particularly set forth in Appendix A attached and made a part hereof.

(3) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed upon notice that she will be required, among other things, to file annual reports of her operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 99. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 99, may result in a cancellation of the operating authority granted by this decision.
- (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 and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

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

Dated at San Francisco, California, this 11th day of October, 1955.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

Decision No. 52059
Dated OCT 11 1955
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APPENDIX A

Evelyn O. Simmonds, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport general commodities between:

- (1) San Mateo and San Jose and intermediate points.
- (2) Crockett and Vallejo, serving Benicia as an off-route point.
- (3) The points set forth in paragraphs Nos. (1) and (2) hereof and the points Evelyn O. Simmonds is authorized to serve pursuant to the provisions of Decision No. 51216 dated March 15, 1955, in Application No. 36668, as amended by the above-numbered decision.

Applicant shall not transport any shipments of:

- (1) Uncrated, unpacked and unwrapped personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling.
- (2) Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps) ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses, bus chassis.
- (3) Livestock, viz.: bucks, bulls, calves, cattle, cows dairy cattle, ewes, goats, hogs, horses, kids; lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
- (4) Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerated equipment.
- (5) Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
- (6) Commodities when transported in bulk in dump trucks or in hopper type trucks.
- (7) Commodities when transported in motor vehicles equipped for mechanical mixing in transit.