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Decision No. 55254

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of GEORGE KELLER for a certificate of public convenience and necessity authorizing transportation of property as a highway common carrier between various points in California.

Application No. 36109

SUPPLEMENTAL ORDER

Applicant filed his potition for modification or rehearing of Decision No. 53226 herein. The Commission has considered the same and finds that public convenience and necessity require that said decision be modified as hereinafter provided.

Applicant is hereby placed on 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, such rights 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 as to the number of rights which may be given.

A. IT IS ORDERED that Decision No. 53226, dated June 12, 1956 in this proceeding be, and it is, revoked.

B. IT IS FURTHER ORDERED:

(1) That a certificate of public convenience and necessity is granted to George Keller, authorizing him to operate as a highway common carrier as defined by Section 213 of the Public Utilities

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Code for the transportation of property botween the points and over the routes as more particularly set forth in Appendix A and Appendix B attached hereto and made a part hereof.

(2) 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 horeof, 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 on notice that he will be required, among other things, to file annual reports of his 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 on not less than ten 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.

(3) That all operating authority possessed by applicant as of the date of this supplemental order is hereby revoked and canceled insofar as, and to the extent that, such authority duplicates authority granted herein; that insofar as such duplication exists, the authority granted herein shall be deemed to be continuations of authority previously held.

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(4) That except as to the revocations contained in paragraphs A and B(3) of this order, the effective date of this order shall be minety days after the date hereof; that said revocations shall take effect simultaneously with the establishment of service under the authority herein granted.

Dated at <u>San Francisco</u>, California, this <u>JULY</u>, 1957.

President =12mer 71 nissioners

Appondix A

George Keller

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Georgo Koller, by the cortificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

- 1. GENERAL COMMODITIES between:
 - (a) All points and places in the San Francisco-East Bay Cartage Zono as shown on Appendix B horeto attached.
 - (b) All points and places on U. S. Highway 101 between Sausalito and Santa Rosa and the offrouto points of Mill Valley, Corto Madera, Larkspur, Greenbrae, Kentfield, Ross and San Anselme.
 - (c) All points dosignated in sub-paragraph (a). on the one hand, and all points designated in sub-paragraph (b), on the other hand.
- 2. AUTOMOBILE PARTS OR ACCESSORIES, as listed under that hoading in Itoms Nos. 8110 through 9240 of Western Classification No. 76, Goorgo H. Dumas, Agent, on the issue date thercof.

CONTAINERS, SHEET IRON OR STEEL, SET UP (WITH OR WITHOUT THEIR EQUIPMENT OF BAILS, HANDLES, COVERS, BUNGS OR NOZZLES), as listed under that heading in Items Nos. 30530 through 30655 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

DRUGS, MEDICINES OR TOILET PREPARATIONS, as listed under that heading in Items Nos. 33270 through 33780 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

PAINTS, PAINT MATERIAL OR PUTTY, as listed under that heading in Items Nos. 74750 through 75200 of Western Classification No. 76, Goorge H. Dumas, Agent, on the issue date thereof.

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MISCELLANEOUS COMMODITIES, VIZ.: Automobile repair creepers or trays Automobile towing poles Batteries, electric Brake, shock absorber or hydraulic system fluid Brushes, paint Cleaning, scouring or washing compounds. Deederants or disinfectants Pads, sanitary Paper, toilet Radio receiving sets, automobile Seap powder Spark plugs Tires, pneumatic Tire tubes Wool, steel

BETWEEN:

Berkeley, Emeryville, Oakland, San Francisco and South San Francisco, on the one hand, and points on U. S. Highways Nos. 101 and 101 Bypass south of South San Francisco to and including San Jose, on the other hand.

The authority hereinabove set forth in paragraph 2 does not include the right to render service to, from or between intermediate points.

Applicant shall not establish through routes and joint rates, charges and classifications as to the separate authorities hereinabove set forth in paragraphs 1 and 2.

Applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.

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Appendix A

- 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 and bus chassis.
- 3. Livostock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, owes, 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.
- 8. Articlos of extraordinary value as set forth in Rule 3 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

End of Appendix A

Issued by California Public Utilities Commission. Decision No. <u>55254</u>, Application No. 36109.



APPENDIX "B"



LINITS OF SAN FRANCISCO-EAST BAY CARTAGE ZONE

San Francisco-East Bay Cartage Zone includes that area embraced by the following boundary:

Beginning at the point where the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to Lake Merced Boulevard; thence southerly along said Lake Merced Boulevard and Lynnewood Drive to So. Mayfair Avenue; thence westerly along said South Mayfair Avenue to Crestwood Drive; thence southerly along Crestwood Drive to Southgate Avenue; thence westerly along Southgate Avenue to Maddux Drive; thence southerly and easterly along Maddux Drive to a point one mile west of Highway U.S. 101; thence southeasterly along an imaginary line one mile west of and paralleling Highway U.S. 101 (El Camino Real) to its intersection with the southerly boundary line of the City of San Mateo; thence northeasterly, northwesterly, northerly and easterly along said southerly boundary to Bayshore Highway (U.S. 101 Bypass); thence leaving said boundary line and continuing easterly along the projection of last said course to its intersection with Belmont (or Angelo) Creck; thence northeasterly along Belmont (or Angelo) Creck to Scal Creek; thence westerly and northerly to a point one mile south of Toll Bridge Road; thence easterly along an imaginary line one mile southerly and paralleling Toll Bridge Road and San Mateo Bridge and Mt. Eden Road to its intersection with State Sign Route 17; thence continuing easterly and northeasterly along an imaginary line one mile south and southeasterly of and paralleling Mt. Eden Road and Jackson Road to its intersection with an imaginary line one mile easterly of and paralloling State Sign Route 9; thence northerly along said imaginary line one mile easterly of and paralleling State Sign Route 9 to its intersection with "B" Street, Hayward; thence easterly and northerly along "B" Street to Center Street; thence northerly along Center Street to Castro Valley Boulevard; thence westerly along Castro Valley Boulevard to Redwood Road; thence northerly along Redwood Road to William Street; thence westerly along William Street and 168th Avenue to Foothill Boulevard; northwosterly along Foothill Boulevard to the southerly boundary line of the City of Oakland; thence easterly and northerly along the Oakland Boundary Line to its intersection with the Alameda-Contra Costa County Boundary Line; thence northwesterly along last said line to its intersection with Arlington Avenue (Berkeley); thence northwesterly along Arlington Avenue to a point one mile northeasterly of San Pablo Avenue (Highway U.S. 40); thence northwesterly along an imaginary line one mile casterly of and paralleling San Pablo Avenue (Highway U.S.40) to its intersection with County Road No. 20 (Contra Costa County); thence westerly along County Road No. 20 to Broadway Avenue (also known as Balboa Road); thence northerly along Broadway Avenue (also known as Balboa Road) to Highway U.S. 40;

thence northerly along Highway U.S. 40 to Rivers Street; thence westerly along Rivers Street to lith Street; thence northerly along lith Street to Johns Avenue; thence westerly along Johns Avenue to Collins Avenue; thence northerly along Collins Avenue to Morton Avenue; thence westerly along Morton Avenue to the Southern Pacific Company right of way and continuing westerly along the prolongation of Morton Avenue to the shore line of San Pablo Bay; thence southerly and westerly along the shore line and waterfront of San Pablo Bay to Point San Pablo; thence southerly along an imaginary line from Point San Pablo to the San Francisco Waterfront at the foot of Market Street; thence Westerly along said waterfront and shore line to the Pacific Ocean; thence southerly along the shore line of the Pacific Ocean to the point of beginning.

meleol:			
Alamoda	Elkton	Oakland Pier	San Leandro
Alameda Picr	Elmhurst	Ocean View	San Lorenzo
Albany	Emeryville	Piedmont	San Mateo
Baden	Ferry Point	Point Castro	San Pablo
Eay Farm Island	Fruitvale	Point Fleming	South San Fran-
Bayshore	Government Island	Point Isabel	cisco
Sorkeley	Hayward	Point Molate	Stege
Bernei	Lawndale	Point Orient	Tanforan
Brisbane	Lomita Perk	Point Potrero	Treasure Island
Broadway	Melrose	Point Richmond	Union Park
Burlingame	Millbrae	Point San Pablo	Visitacion
Camp Knight Castro Valley	Mills Field	Richmond	Westlake
Colma	Mt. Eden	Russell City San Bruno	Winchaven
Daly City	Oakland	San Francisco	Yerba Buena
East Oakland	Oakland Municipal	San Francisco Inter-	Island
El Carrito	Airport	national Airport	

beginning. The foregoing description includes the following points or portions thereof: Alamoda Elkton Oakland Pier San Leandro

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APPENDIX "B" (Continued)

MAP SHOWING

LIMITS OF SAN FRANCISCO - EAST BAY CARTAGE ZONE

