

ORIGINAL

Decision No. 58996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
MIKE CONROTTO, doing business as)	
MIKE CONROTTO TRUCKING, for a)	
certificate of public convenience)	Application No. 36005
and necessity to operate as a)	
highway common carrier.)	

SUPPLEMENTAL OPINION AND ORDER

By the decision hereinafter identified, Mike Conrotto acquired a certificate which is described in part by reference to territorial descriptions contained in a minimum rate tariff. As the certificate is worded, some questions may arise whether any amendment to the territorial descriptions of the minimum rate tariff would be incorporated automatically into this certificate.

It is apparent that any changes made by the Commission in the territorial descriptions set forth in the minimum rate tariffs are predicated on minimum rate considerations and not public convenience and necessity. On the other hand, any changes in a highway common carrier's certificate of public convenience and necessity must be based solely on public convenience and necessity. It is the Commission's conclusion that the territories referred to in the certificate are the corresponding territories as described in the minimum rate tariff at the time the certificate was issued. Any other interpretation would result in a certificate that could be expanded or contracted without any consideration of public convenience and necessity.

The following order will clarify the certificate by stating the territorial descriptions specifically by metes and bounds.

Therefore, good cause appearing,

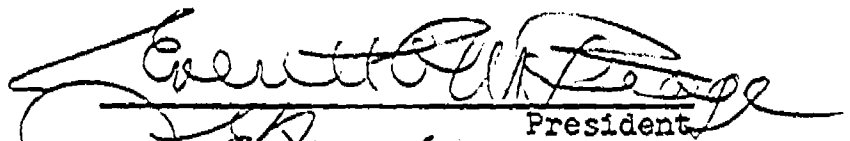
IT IS ORDERED:

(1) That the certificate of public convenience and necessity granted Mike Conrotto by Decision No. 52019, dated October 4, 1955, as amended, in Application No. 36005, is hereby further amended by substituting First Revised Page 2 in place and stead of Original Page 2 to Appendix "A" of said decision, and by adding thereto new appendices to be known as Appendix "B" and Appendix "C" hereto attached.

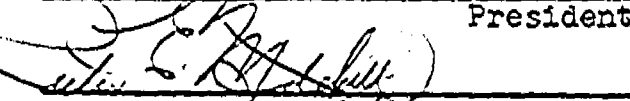
(2) That within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and to the public, Mike Conrotto shall amend his tariffs on file with the Commission to reflect the clarification of the certificate here involved.


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

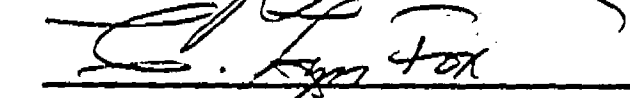
Dated at San Francisco, California, this 15th day of September, 1959.



President







Commissioners

- (h) With the right to use any and all connecting roads and highways for operating convenience only.
- (2) Wooden crates; burlap, gunny, cellulose, ixtle (istle), jute, sisal and paper bags; paper or vegetable parchment wrappers; and fiberboard, paper or pulpboard boxes,
- Between Los Angeles, Lindsay, Porterville, Strathmore, Ivanhoe and Lemon Cove.
- (3) Fruits, fresh or green (not cold pack or frozen), vegetables, fresh or green (not cold pack or frozen), including fresh mushrooms, over and along the following routes:
- (a) State Highway 33 between Maricopa and Patterson, on the one hand, and San Francisco Territory, Fort Ord, Camp Roberts, and points on U. S. Highway 99 between Bakersfield and Los Angeles Territory, including points in Los Angeles Territory, on the other hand.
- (b) With the right to serve points and places located laterally within 15 miles of State Highway 33 between Maricopa and Patterson.

B. San Francisco Territory, referred to herein, is that territory described in Appendix "B" hereto attached.

C. Los Angeles Territory, referred to herein, is that territory described in Appendix "C" hereto attached.

Issued by the California Public Utilities Commission.

Decision No. 58296, Application No. 36005.

San Francisco Territory includes the area embraced by the following boundary:

Beginning at the point the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway No. 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway No. 101 to its intersection with the corporate boundary of the City of San Jose; southerly, easterly and northerly along said corporate boundary to its intersection with State Highway No. 17; northerly along State Highway No. 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbor Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway No. 40 (San Pablo Avenue); northerly along U.S. Highway No. 40 to and including the City of Richmond; southwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said water front and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to the point of beginning.

Issued by the California Public Utilities Commission.

Decision No. 58996, Application No. 36005.

Los Angeles Territory includes the area embraced by the following boundary:

Beginning at the intersection of Sunset Boulevard and U.S. Highway No. 101, Alternate; thence northeasterly on 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 No. 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 Lower Azusa Road; easterly on Lower Azusa Road to its intersection with the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue in the City of Whittier; southerly on Painter Avenue to State Highway No. 26; westerly along State Highway No. 26 to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway; westerly on Imperial Highway 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 No. 101, Alternate; thence northerly along an imaginary line to point of beginning.

Issued by the California Public Utilities Commission.

Decision No., 58996, Application No. 36005.