

**ORIGINAL**

Decision No. 59326

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ) UNITED STATES EXPRESS, formerly ) Savage Transportation Co., Inc., a ) corporation, for a certificate of ) public convenience and necessity to ) extend highway common carrier ) service. )	Application No. 41243
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Berol and Silver by Bertram S. Silver, for applicant.  
Robert C. Ellis, for California Motor Express, Ltd., and California Motor Transport Co., Ltd.;  
F. S. Kohles, for Valley Express Co., and Valley Motor Lines, Inc.; Matthew H. Witteman, for The Atchison, Topeka and Santa Fe Railway Company, Santa Fe Transportation Company, and Railway Express Agency; C. J. Boddington, for Oregon, Nevada, California Fast Freight, Inc., and Southern California Freight Lines, protestants.

O P I N I O N

United States Express, formerly Savage Transportation Co., Inc., presently rendering service as a highway common carrier between San Francisco Territory, Los Angeles Territory and Monterey and certain points in the Monterey area, requests authority to serve intermediate points on split pickup and delivery shipments.

Public hearings were held before Examiner Thomas E. Daly at San Francisco and Los Angeles and the matter was submitted on October 6, 1959, upon the receipt of late-filed exhibits since filed and considered.

Applicant asserts that it has many competitors between the San Francisco and Los Angeles territories; that because of the prohibition against certificated carriers providing split pickup and delivery service to off-route points applicant is placed in a

noncompetitive position and as a result has lost some accounts to carriers that can provide a more complete service; that to remain competitive and as an accommodation to certain customers, it is providing a split-shipment service through the use of a subsidiary operating as a permitted carrier.

Many public witnesses testified and the testimony of many more was stipulated. For the most part the witnesses stated that their companies have used applicant and its predecessor for many year. They make split shipments to the proposed area and use other carriers for this purpose. They would prefer to use applicant on such shipments and thereby gain the benefit of the lower rates. At the same time they would eliminate the need for additional carriers and thus reduce the amount of office and paper work involved.

Protestants introduced late-filed exhibits relating to their existing operations in the proposed area. They are of the opinion that the granting of the application would result in diversion thereby increasing their operating costs.

After consideration the Commission is of the opinion that public convenience and necessity require the granting of the authority sought. The proposed service would place applicant in a more competitive position with other carriers serving between the San Francisco and Los Angeles territories and would also result in a more complete service to its customers.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is hereby granted to United States Express authorizing the transportation of property as a highway common carrier between the points and

over the routes set forth in Appendix A 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 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 on notice that it will be required, among other things, to file annual reports of its 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 to the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

3. That concurrently with the inauguration of service authorized in ordering paragraph 1 hereof, the operative rights granted by Decision Nos. 44518 and 52305 are hereby revoked.

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

Dated at San Francisco, California, this 1st day of December, 1959.

[Signature]  
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 President

[Signature]  
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 \_\_\_\_\_  
Theodore J. Jensen  
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 Commissioners

United States Express by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities, except uncrated household goods, petroleum products in bulk, livestock, and articles of extraordinary value, between the following points:

- A. Between San Francisco Territory and Los Angeles Territory, as described on Pages 3 and 4 of this Appendix, Monterey (and 5 miles thereof), Watsonville, Salinas, Pacific Grove and Carmel over the following route or routes:
  1. U. S. Highway 101A between San Jose and Los Angeles.
  2. California Highway 156 and unnumbered highway between Monterey and U. S. Highway 101.
  3. All State, U. S. and unnumbered highways in San Francisco and Los Angeles Territories.
- B. Between points and places over and along the following routes and within 20 miles of all of said points.
  1. U. S. Highway 101 and 101A between San Francisco Territory and San Ysidro.
  2. California Highway 156 and unnumbered highway between Monterey and U. S. Highway 101.
  3. U. S. Highway 99 between Los Angeles Territory and Junction California Highway 120.
  4. U. S. Highway 50 and California Highway 120 between Oakland and Junction U. S. Highway 99.
  5. California Highway 152 between Gilroy and Califa.
  6. California Highway 180 and Highway 65 between Fresno and Junction U. S. Highway 99 approximately 5 miles north of Bakersfield.
  7. California Highway 33 between Tracy and Junction U. S. Highway 99.
  8. All highways within the Los Angeles Basin Territory.
  9. U. S. Highway 395 between Riverside and San Diego.

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- C. The authority described in paragraph B is limited to the pickup or delivery of component parts of split pickup or split delivery shipments having origin or destination in the San Francisco or Los Angeles Basin Basin Territories, Monterey, Watsonville, Salinas, Pacific Grove or Carmel except that no shipments or component parts shall be both picked up and delivered within the San Francisco Territory or the Los Angeles Basin Territory.
- D. As an alternate route between San Francisco and Los Angeles over U. S. Highway 50, California Highway 120 and U. S. Highway 99.

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1. SAN FRANCISCO TERRITORY includes that 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, Harbord 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 of the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning.
2. LOS ANGELES TERRITORY includes that 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;

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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.

End of Appendix A

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