

Decision No. 59397**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )	
of WILLIG FREIGHT LINES, a cor- )	Application No. 39116
poration, for a certificate of )	(Petition to Reopen)
public convenience and necessity )	
to operate as a highway common )	
carrier for the transportation )	Application No. 41312
of property. )	

Frank Loughran for applicant.  
Marvin Handler for Nielsen Freight Lines and  
 Antoni Truck Lines, petitioners.  
Frederick Mielke for Delta Lines, Inc., Stockton  
 Motor Express, Circle Freight Lines, California  
 Motor Express, Ltd., California Motor Transport  
 Co., Ltd., Valley Motor Lines, Inc., and Valley  
 Motor Express Co., protestants.

O P I N I O N

The petition of Nielsen Freight Lines and Antoni Truck Lines, filed August 14, 1959, in Application No. 39116, requests the clarifying and redefining of the operative rights of Willig Freight Lines as defined in Decision No. 58055 dated February 24, 1959. In response thereto applicant requested that said decision be amended to exclude any rights along U. S. Highway 101 north of Cloverdale. The following order will embody this modification.

By Application No. 41312 filed July 15, 1959, Willig Freight Lines requests authority to serve on an unrestricted basis generally along U. S. Highways 99 and 101 between its Bay Area and North Coast territory and the Los Angeles Basin Territory and from the latter to San Diego and San Ysidro along U. S. Highways 101 and 395 and also U. S. Highways 40, 50 and 99 between the Bay Area and Sacramento and the so-called Delta Area, all with extensive lateral rights. Applicant presently has the right to serve these areas restricted to split delivery shipments but now wishes to remove such restriction.

Public hearings were held before Examiner Rowe on September 25, 1959 in Los Angeles, and on October 1 and 23, 1959, in San Francisco. Evidence both oral and documentary was adduced and the matter submitted for decision on the latter date.

Seventeen public witnesses appeared personally and testified as to the need for the requested service. By stipulation of the parties substantially similar testimony of four additional witnesses should be considered. The testimony of protestants justifies a finding that they render an efficient service in this or in parts of the same territory sought by applicant and that their service meets the needs of their customers. The Commission finds from the record, however, that public convenience and necessity require that Willig Freight Lines be granted, in the place and stead of its existing operative rights, a certificate of public convenience and necessity as more specifically described in the order that follows:

O R D E R

Application therefor having been filed and public hearings having been held and based upon the above finding,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Willig Freight Lines authorizing the transportation of general commodities as a highway common carrier as defined in Section 213 of the Public Utilities Code for the transportation of general commodities between the points and over the routes set forth in Appendix A attached hereto and made a part hereof.

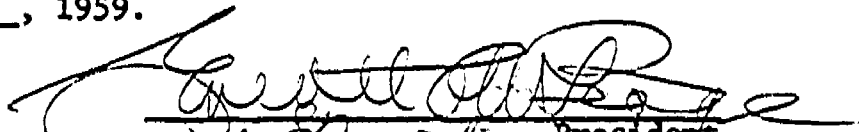
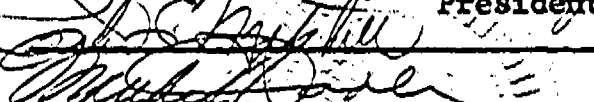
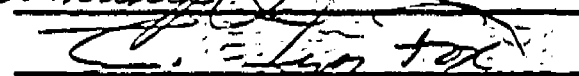

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (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 five days' notice to the Commission and to the public, applicant shall establish the service herein authorized and shall file in triplicate, and concurrently make effective, amendments to its tariffs satisfactory to the Commission to reflect the authority herein granted.

(3) That the certificate of public convenience and necessity granted in paragraph (1) of this order is in lieu of and supersedes all existing certificates of public convenience and necessity of a highway common carrier heretofore granted to or acquired by Willig Freight Lines, which certificates are hereby canceled and revoked, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph (2) (b) hereof.

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

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

  
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President  
  
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Commissioners

Willig Freight Lines, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities between the following points and over the following routes:

1. From, to, and between all points and places located:

On or laterally within 25 mile of State Highway No. 1 between Fort Bragg and San Francisco, including both Fort Bragg and San Francisco, (but excluding points located on U. S. Highway 101 north of Cloverdale); on or laterally within 10 miles of State Highway No. 1 between Fort Bragg and Rockport, including both of said points, serving the off route point of the Geysers located approximately 20 miles east of Cloverdale via the Cloverdale Geysers Road and the Healdsburg Geysers Road, including both San Francisco and Leggett Valley, on or laterally within 3 miles of State Highway No. 12 between Santa Rosa and Schellville; on or laterally within 3 miles of State Highway No. 37 between Schellville and intersection of State Highway No. 37 with U. S. Highway No. 101 near Ignacio; on or laterally within 10 miles of U. S. Highway No. 40 from San Francisco to Sacramento, including both San Francisco and Sacramento; within a radius of 20 miles of Sacramento; on or laterally within 10 miles of State Highway No. 4 from its intersection with U. S. Highway No. 40 near Pinole to Stockton including Stockton; on or laterally within 10 miles of State Highway No. 24 between Oakland and Sacramento, including both Oakland and Sacramento; on or laterally within 5 miles of U. S. Highway No. 50 between San Francisco and U. S. Highway No. 99 lateral near Tracy; within San Francisco territory as described in Appendix B hereof; on U. S. Highways Nos. 99 and 50 between Sacramento and Los Angeles, including both Sacramento and Los Angeles, and also including all points located on or laterally within 10 miles of U. S. Highway No. 99

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between Sacramento and Fresno; and also including all points located within a radius of 25 miles of both Fresno and Bakersfield; and laterally within 25 miles of U. S. Highway No. 99 between Fresno and Bakersfield; on State Highway No. 33 from its intersection with U. S. Highway No. 50 near Tracy to its intersection with State Highway No. 152 near Los Banos; on State Highway No. 152 from Los Banos to its intersection with U. S. Highway No. 99 near Califa; on State Highway No. 33 from its intersection with State Highway No. 152 near Dos Palos to and including Coalinga; on State Highway No. 198 to its intersection with the Fresno, Bakersfield lateral to U. S. Highway No. 99 hereinabove described; on or within 5 miles laterally of U. S. Highway No. 101 and 101 Alternate from San Francisco to Los Angeles, including both San Francisco and Los Angeles; on or within 5 miles of State Highway No. 150 from its intersection with U. S. Highway No. 101 at Buellton to and including Lompoc; on or within 10 miles laterally of State Highway No. 150 from Santa Barbara to its intersection with State Highway No. 126 near Santa Paula; on or within 10 miles laterally of State Highway No. 126 from its intersection with U. S. Highway No. 101 at Ventura to its intersection with U. S. Highway No. 99 near Castaic; within the Los Angeles Basin Territory as in Appendix C hereof; on or laterally within 3 miles of U. S. Highway No. 101 from Los Angeles Basin Territory to San Ysidro, including San Ysidro; on or laterally within 3 miles of U. S. Highway No. 395 from Los Angeles Basin Territory to and including San Diego.

2. Any and all available highways may be used and traversed in operating between the points authorized to be served by Paragraph 1(a) hereof.

No service shall be provided to or from Salinas for the transportation of fresh fruits and/or vegetables.

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The following commodities shall not be transported:

- (a) Used household goods and personal effects not packed in accordance with the crated property requirements as set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
- (b) Liquids, compressed gases, commodities in semi-plastic form nor commodities in suspension; liquids in bulk in tank trucks, tank trailers or tank and semi-trailers or a combination of such highway vehicles.
- (c) Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
- (d) Articles of extraordinary value.
- (e) Automobiles, trucks or buses, new or used, finished or unfinished, viz.: passenger automobiles (including jeeps); ambulances; hearses; taxis; freight automobiles; automobile chassis; truck chassis; truck trailers; trucks and trailers combined; buses or bus chassis.

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APPENDIX B TO DECISION NO. \_\_\_\_\_

SAN FRANCISCO TERRITORY includes all the City of San Jose and 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 101; southerly along an imaginary line 1 mile west of and paralleling U. S. Highway 101 to its intersection with Southern Pacific Company right of way at Arastradero Road; southeasterly along the Southern Pacific Company right of way to Pollard Road; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to E. Parr Avenue; easterly along E. Parr Avenue to the Southern Pacific Company right of way; southerly along the Southern Pacific Company right of way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to U. S. Highway 101; northwesterly along U. S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwestly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 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 40 (San Pablo Avenue); northerly along U. S. Highway 40 to and including the City of Richmond; southwestly 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 waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning.

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APPENDIX C TO DECISION NO. \_\_\_\_\_

LOS ANGELES BASIN TERRITORY includes the area embraced by the following boundary:

Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence north-easterly along said county line to the point it intersects State Highway No. 118, approximately two miles west of Chatsworth; easterly along State Highway No. 118 to Sepulveda Boulevard; north-erly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its pro-longation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U. S. Highway No. 99; northwesterly along U. S. Highway No. 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwestery along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U. S. Highway No. 60; southwestery along U. S. Highways Nos. 60 and 395 to the county road approximately one mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the City of San Jacinto; easterly, southerly and west-erly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to the right of way of The Atchison, Topeka and Santa Fe Railway Company; southwestery along said right of way to Washington Avenue; southerly along Washington Avenue, through and including the unin-corporated community of Winchester to Benton Road; westerly along Benton Road to the county road intersecting U. S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; south-erly along said county road to U. S. Highway No. 395; southeasterly along U. S. Highway No. 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to point of beginning.

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