

ORIGINALDecision No. 59399

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 INTERLINES MOTOR EXPRESS, a corpora-
 tion, for a certificate of public
 convenience and necessity to operate
 as a highway common carrier.

Application No. 41323

Frank Loughran, for applicant.
J. Richard Townsend, for Walter E. Mendenhall and
 Wilbur Mendenhall, and Bruce R. Geernaert, for
 Callison Truck Lines, Inc., interested parties.
Robert C. Ellis, for California Motor Transportation
 Company, Ltd., Circle Freight Lines, Stockton
 Motor Express and California Motor Express, Ltd.;
Ray L. Harris, for Delta Lines; James T. Jensen,
 for The Atchison, Topeka and Santa Fe Railway
 Company and Santa Fe Transportation Company; and
F. S. Kohles, for Valley Express Company and
 Valley Motor Lines, Inc., protestants.

O P I N I O N

Interlines Motor Express, a corporation, by application filed on July 20, 1959, requests that its operative rights be modified and extended. Presently applicant serves between Oakland, Stockton and Manteca and Sacramento, Lakeport, Pulga, Redding, Alturas and the Eureka area using U.S. Highways 99E, 99W and U.S. 40 and other highways but not U.S. Highway 101 south of Scotia. It now wishes to extend its lateral rights and in addition requests new authority between Alturas and the Oregon border, between Sacramento and Stockton and between San Francisco, San Jose and the Delta area.

As justification it is alleged that applicant has received increased demands from its customers for service in the areas to which it seeks to extend. Such shippers have, with increasing frequency, requested this carrier to transport split delivery shipments with

component parts throughout the area in which extension is requested.

Also, the application states that many of its shippers are moving into the extended San Francisco and Sacramento territory where applicant seeks to extend, and the convenience of such shippers requires that it be authorized to serve the entire territory.

Public hearings were held before Examiner Rowe in San Francisco on October 19 and 23, 1959, and in Sacramento on October 28, 1959. Evidence both oral and documentary was adduced and on the latter date the matter was submitted for decision.

Applicant introduced the testimony of many witnesses, representing substantial shippers in the Bay Area and from the Delta and Sacramento and other areas, as to their need for this service. Protestants put in evidence their operating testimony and testimony that they could transport additional tonnage with their present equipment. However, they admitted that most of them are similarly seeking extended operative rights.

The Commission finds that public convenience and necessity require that Interlines be granted the operative rights requested in its application as amended. This will be accomplished by granting a new certificate of public convenience and necessity as requested in the application as amended, and by cancelling and revoking all prior rights held by this applicant.

O R D E R

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

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Interlines Motor Express authorizing it to operate as a

highway common carrier, as defined in Section 213 of the California Public Utilities Code for the transportation of general commodities except uncrated household goods, livestock, articles of unusual value and petroleum products in bulk in tank trucks between the points and over the routes as set forth in Appendices A and B attached hereto and by reference 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 file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

(3) That the highway common carrier operative rights granted by Decisions numbered, dated and in response to the following applications are hereby revoked, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph (2) hereof. Said decisions, the operative rights of which are hereby revoked, are as follows:

<u>Decision No.</u>	<u>Date</u>	<u>Application No.</u>
43106	July 6, 1949	29251
46030	July 31, 1951	30313
49535	January 12, 1954	34962
33998	March 11, 1941	23240
50646	October 13, 1954	35786
47793	October 7, 1952	33705
55376	August 5, 1957	38845
46851	March 17, 1952	33169

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.

Everett R. Posa
 President

W. E. [unclear]

W. [unclear]

E. [unclear]

Theodore [unclear]
 Commissioners

Interlines Motor 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, livestock, articles of unusual value and petroleum and petroleum products in bulk in tank trucks:

1. To, from and between all points and places located in San Francisco Territory as described in Appendix B hereto, and points and places located within ten miles of the boundaries of said San Francisco Territory; on or within ten miles of U.S. Highway 40 from Richmond to Roseville inclusive; within a radius of twenty miles of Sacramento; all points and places on or within twenty miles of U.S. Highway 99E between Roseville and Red Bluff inclusive; on or within twenty miles of U.S. Highway 99W between its junction with U.S. Highway 40 near Davis to Red Bluff inclusive; on or within ten miles of U.S. Highway 40A from Oroville to Pulga inclusive; on or within twenty miles of U.S. Highway 99 between Red Bluff and Redding; within a radius of twenty-five miles of Redding; on or within twenty miles of U.S. Highway 299 from the junction of said highway with U.S. Highway 101 near Arcata to Alturas inclusive; on or within ten miles of U.S. Highway 101 from its junction with U.S. Highway 299 near Arcata to Scotia inclusive; on or within ten miles of State Highway 89 from its junction with U.S. Highway 395 to Bartle; on or within three miles of State Highway 20 from Williams to Upper Lake inclusive; on or within three miles of State Highway 29 from Upper Lake to and including Middletown; on or within three miles of State Highway 53 from its junction with State Highway 20 near Lower Lake to Middletown; on or within ten miles of U.S. Highway 50 from San Lorenzo to Stockton inclusive; on or within twenty miles of U.S. Highways 99 and 50 between Stockton and Sacramento inclusive; on or within ten miles of State Highway 4 from its junction with U.S. Highway 40 near Pinole, to and including Stockton and to and including its intersection with U.S. Highway 50 near Tracy.

Issued by California Public Utilities Commission.

Decision No. 59399, Application No. 41323.

2. Service is authorized to be rendered from, to and between all authorized service points and areas via all available streets and highways and via most direct route, except, that shipments moving between points located on U.S. Highway 101 between Scotia and Trinidad or laterally on either side of said highway, on the one hand, and on the other hand, points south of Redding, including the San Francisco Bay Area, must be physically transported via U.S. Highways 99 and 99E through Redding.
3. No local service is authorized between points located on U.S. Highway 101 between Trinidad and Scotia, inclusive, and points laterally adjacent to said highway, on the one hand, and on the other hand, points located on U.S. Highway 299 from its junction with U.S. Highway 101 near Arcata to and including Willow Creek, and points laterally adjacent to said highway.

No service is authorized at points located on State Highway 96 north of Willow Creek or at points on State Highway 36 between Forest Glen and the junction of said State Highway 36 with U.S. Highway 101 at Alton or at points located laterally from said State highways.

Issued by California Public Utilities Commission.

Decision No. 59399, Application No. 41323.

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, including industries served by the Southern Pacific Company spur line extending approximately 2 miles southwest from Simla to Permanente; 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; southwestwesterly 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; southwestwesterly 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.