

ORIGINALDecision No. 60354

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:
 DESERT EXPRESS, a corporation, for a
 certificate of public convenience and
 necessity as a highway common carrier
 of general commodities extending its
 Los Angeles Territory and authorizing
 service between its San Francisco
 Territory and intermediate points in
 the San Joaquin Valley, pursuant to
 Sections 1063-1064 of the California
 Public Utilities Code.

Application No. 41396

Theodore W. Russell for applicant.O P I N I O N

By this application, filed January 28, 1960, Desert Express requests an extension of its operative authority to include all of the Los Angeles area as described by applicant in its application and in addition service along, and five miles on either side of, U. S. Highways 50 and 99 between Oakland and Bakersfield.

Public hearings were held in Los Angeles on April 26, 1960 and in San Francisco on May 12, 1960 before Examiner Rowe. Although all competitors were duly notified no one appeared in protest. Evidence was adduced by applicant and on the latter date the matter was submitted for decision.

From the evidence of record the Commission finds that public convenience and necessity require that applicant be granted the extended highway common carrier rights as requested. This will be accomplished by appropriate revision of Appendices A and B attached to Decision No. 58378 in Application No. 39011.

O R D E R

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

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Desert Express, a corporation, authorizing it to operate as a highway common carrier as defined in Section 213 of the Public Utilities Code for the transportation of general commodities with the exceptions, and between the points and places set forth in Appendices A and B attached hereto and by reference made a part hereof.

(2) That to accomplish said purpose Appendices A and B attached to said Decision No. 58378 are amended by substituting First Revised Page 1, First Revised Page 2 and Original Page 3 for Original Page 1 and Original Page 2 of Appendix A, and by deleting Appendix B to Decision No. 58378 and by substituting therefor Appendix B attached hereto, and that the references therein to Appendices C, D, and E refer to such appendices to said Decision No. 58378, such revision to become effective concurrently with the effective date of tariff filings required by paragraph (3)(b) hereof.

(3) That in providing service pursuant to the certificate herein granted, applicant Desert Express 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 and insurance requirements of the Commission's General Order No. 100-A. 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 Orders Nos. 99 and 100-A, 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.

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

Dated at San Francisco, California, this 7th day of July, 1960.

Cecil R. Peas
President

W. E. Mitchell

W. H. ...

S. ...

Theodore Jensen
Commissioners

1. Desert Express, by the certificate of public convenience and necessity granted in the Decision noted in the margin, is authorized to transport general commodities, except petroleum and petroleum products in bulk and in tank vehicles, and livestock:

- (a) Between all points and places in the greater Los Angeles Territory, as described in Appendix B, attached hereto, on the one hand, and on the other hand,
 - (1) Bakersfield,
 - (2) All points and places in the Bakersfield Territory as described in Appendix C attached hereto.
 - (3) All points and places in the Tehachapi-Mojave Desert Territory as described in Appendix D attached hereto.
- (b) Between all points and places in the Tehachapi-Mojave Desert Territory as described in Appendix D attached hereto.
- (c) Between Bakersfield and all points and places in the Bakersfield Territory as defined in Appendix C attached hereto.
- (d) Between Bakersfield and all points and places in the Tehachapi-Mojave Desert Territory, as described in Appendix D attached hereto.
- (e) Between all points and places in the Bakersfield Territory as defined in Appendix C attached hereto, and all points and places in the Tehachapi-Mojave Desert Territory, as described in Appendix D attached hereto.

2. Desert Express, by the certificate of public convenience and necessity granted in the Decision noted in the margin, is authorized to transport general commodities, except petroleum and petroleum products in bulk and in tank vehicles, livestock, and used household goods and personal effects not packed in accordance with the crated

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property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.

- (a) Between all points and places in the greater Los Angeles Territory, as described in Appendix B attached hereto, on the one hand, and on the other hand, all points and places in the San Francisco Territory, as described in Appendix E attached hereto and all intermediate points and off-route points within five miles of either side of the highways set out in paragraph 2(c) hereof north of Bakersfield.
- (b) Between all points and places in the Tehachapi-Mojave Desert Territory, on the one hand, and all points and places in the San Francisco Territory, as described in Appendix E attached hereto, and all intermediate points and off-route points within five miles on either side of the highways set out in paragraph 2(c) hereof north of Bakersfield.
- (c) Between all intermediate points and off-route points within five miles on either side of the highways set out in paragraph 2(e) hereof north of and including Bakersfield.
- (d) Between all intermediate points and off-route points within five miles on either side of the highways set out in paragraph 2(e) hereof north of, and including Bakersfield, on the one hand, and on the other, the San Francisco Territory as defined in Appendix E attached hereto.
- (e) The highways upon which the intermediate and off-route points referred to in paragraphs 2(a) and 2(b) hereof are based, are the following:
 - (1) U. S. Highway 99 between Los Angeles and Manteca:

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- (2) State Highway 120 and U. S. Highway 50 between Manteca and the San Francisco Territory;
- (3) State Highway 198 between its junction with U.S. Highway 99 and its junction with State Highway 41 near Lemoore;
- (4) State Highway 41 between its junction with State Highway No. 198 and Fresno.

End of Appendix A

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APPENDIX B TO DECISION NO. 60354
Cancels
Appendix B to Decision No. 58378

THE GREATER LOS ANGELES TERRITORY includes that area embraced by the following boundary:

Beginning at the intersection of the westerly boundary of the City of Los Angeles and the Pacific Ocean thence northerly and easterly along the boundary of the City of Los Angeles to its point of first intersection with the boundary of the Los Angeles National Forest; thence along the southerly boundary of the Los Angeles National Forest, and southerly boundary of the San Bernardino National Forest to the point of first intersection of the southerly boundary of the San Bernardino National Forest and the San Bernardino-Riverside County Line, thence westerly along the San Bernardino-Riverside County Line to a point on said line distant five miles east from the junction of said County Line and U.S. Highway 91, thence southwesterly along a line parallel to and distant five miles from U.S. Highway 91, State Highway 55, and the prolongation of State Highway 55 to its junction with the Pacific Ocean. Thence westerly and northerly along the coast line of the Pacific Ocean to the point of beginning.