

ORIGINAL

Decision No. 60547

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ENCINAL TERMINALS, a corporation, for a certificate of public convenience and necessity to extend operations as a highway common carrier for the transportation of property.

Application No. 42193

Edward D. Ransom and E. H. Griffiths,  
for applicant.

O P I N I O N

Encinal Terminals presently renders service as a highway common carrier between all points and places in the San Francisco-East Bay Cartage Zone. It requests authority to extend service to an area south of San Mateo and Hayward to and including Santa Clara, San Jose and Campbell.

A public hearing was held before Examiner Thomas E. Daly on June 16, 1960, at San Francisco. The matter was submitted upon the receipt of late-filed Exhibit No. 8 since filed and considered. No appearance was made in protest to the authority sought.

Applicant conducts a coordinated warehouse and common carrier operation in the City of Alameda. It owns and operates approximately 44 units of operating equipment. It proposes to establish a terminal in San Jose and to acquire additional equipment if necessary. For the year ending February 29, 1960, it realized a net operating income of \$162,686.

Three public witnesses testified on behalf of applicant. They represented Hunts Foods and Industries, Permanente Cement Co. and California Packing. In brief, they testified that they

presently use applicant within its certificated area; that they have frequent occasion to ship to the proposed area and would like to use applicant's proposed service; that if the extension is authorized it would enable them to use applicant on split pickup and delivery shipments and thus obtain the benefit of volume rates. In the absence of protest and because of the cumulative nature of the testimony, late-file Exhibit No. 8 contains the names of ten individuals who if called, it was stated, would have testified substantially the same.

After consideration the Commission finds and concludes that public convenience and necessity require the granting of the authority sought. A new certificate restating applicant's operative rights will be issued.

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 Encinal Terminals authorizing it to operate as a highway common carrier as defined by Section 213 of the Public Utilities Code for the transportation of property between the points and over the routes set forth in Appendices A and B attached hereto.

2. That, in providing service pursuant to the authority 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 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 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 certificate of public convenience and necessity granted in paragraph 1 of this order is in lieu of and supersedes the existing certificate of public convenience and necessity authorizing the transportation of general commodities heretofore granted by Decision No. 51032, dated January 25, 1955, in Application No. 35199, and acquired by Encinal Terminals by Decision No. 56935,

dated July 8, 1958, in Application No. 40112, which certificate is hereby revoked and canceled, said revocation to become effective concurrently with the effective date of 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 9<sup>th</sup> day of August, 1960.

*C. Lynn Fox*  
 President

*W. H. ...*

*Theodore ...*  
 Commissioners

Commissioner C. Lynn Fox, being necessarily absent, did not participate in the disposition of this proceeding.

Encinal Terminals, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities except uncrated used household goods and personal effects, petroleum products in bulk and tank vessels, livestock, commodities of unusual value from, to and between all points as described in Appendix B attached hereto.

Issued by California Public Utilities Commission.

Decision No. 60547, Application No. 42198.

1. The San Francisco-East Bay Cartage Zone includes the area embraced by the following boundary:

Beginning at the point where the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to Lake Merced Boulevard; thence southerly along said Lake Merced Boulevard and Lynnewood Drive to So. Mayfair Avenue; thence westerly along said So. Mayfair Avenue to Crestwood Drive; thence southerly along Crestwood Drive to Southgate Avenue; thence westerly along Southgate Avenue to Maddux Drive; thence southerly and easterly along Maddux Drive to a point one mile west of Highway U.S. 101; thence southeasterly along an imaginary line one mile west of and paralleling Highway U.S. 101 (El Camino Real) to its intersection with the southerly boundary line of the City of San Mateo; thence northeasterly, northwesterly, northerly and easterly along said southerly boundary to Bayshore Highway (U.S. 101 Bypass); thence leaving said boundary line and continuing easterly along the projection of last said course to its intersection with Belmont (or Angelo) Creek, thence northeasterly along Belmont (or Angelo) Creek to Seal Creek; thence westerly and northerly to a point one mile south of Toll Bridge Road; thence easterly along an imaginary line one mile southerly and paralleling Toll Bridge Road and San Mateo Bridge and Mt. Eden Road to its intersection with State Sign Route 17; thence continuing easterly and northeasterly along an imaginary line one mile south and southeasterly of and paralleling Mt. Eden Road and Jackson Road to its intersection with an imaginary line one mile easterly of and paralleling State Sign Route 9; thence northerly along said imaginary line one mile easterly of and paralleling State Sign Route 9 to its intersection with "B" Street, Hayward; thence easterly and northerly along "B" Street to Center Street; thence northerly along Center Street to Castro Valley Boulevard; thence westerly along Castro Valley Boulevard to Redwood Road; thence northerly along Redwood Road to William Street; thence westerly along William Street and 168th Avenue to Foothill Boulevard; northwesterly along Foothill Boulevard to the southerly boundary line of the City of Oakland, thence easterly and northerly along the Oakland Boundary Line to its intersection with the Alameda-Contra Costa County Boundary Line; thence northwesterly along last said line to its intersection with Arlington Avenue (Berkeley); thence northwesterly along Arlington Avenue to a point one mile northeasterly of San Pablo Avenue (Highway U.S. 40); thence northwesterly along an imaginary line one mile easterly of and paralleling San Pablo Avenue (Highway U.S. 40) to its intersection with County Road No. 20 (Contra Costa County); thence westerly along County Road No. 20 to Broadway Avenue (also known as Balboa Road); thence northerly along Broadway Avenue (also known as Balboa Road) to Highway U.S. 40; thence northerly along Highway U.S. 40 to Rivers Street; thence westerly along Rivers Street to 11th Street; thence northerly along 11th Street to Johns Avenue; thence

APPENDIX B TO DECISION NO. 60547

westerly along Johns Avenue to Collins Avenue; thence northerly along Collins Avenue to Morton Avenue; thence westerly along Morton Avenue to the Southern Pacific Company right of way and continuing westerly along the prolongation of Morton Avenue to the shore line of San Pablo Bay; thence southerly and westerly along the shore line and waterfront of San Pablo Bay to Point San Pablo; thence southerly along an imaginary line from Point San Pablo to the San Francisco Waterfront at the foot of Market Street; thence westerly along said waterfront and shore line to the Pacific Ocean; thence southerly along the shore line of the Pacific Ocean to the point of beginning.

2. Between San Mateo and San Jose and intermediate points on U. S. Highways 101 and 101 By-Pass, between Hayward and San Jose and intermediate points on State Highways 9 and 17, and between all points laterally within 5 miles of said highways and all points and places within a radius of 10 miles of San Jose.

3. Service to be performed between certificated points via any and all available streets and highways including all connecting streets and highways.