

Decision No. 61548

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
ROZAY'S TRANSFER, a corporation,  
for a certificate of public convenience and necessity as a highway common carrier for the transportation of special commodities between points in the Los Angeles Territory, pursuant to Sections 1063-1064 of the Public Utilities Code.

Application No. 42394

SUPPLEMENTAL OPINION AND ORDER

By the decision hereinafter identified, Rozay's Transfer, a corporation, was granted a certificate which is described in part by reference to a territorial description and a drayage area contained in minimum rate tariffs. As the certificate is worded, some question may arise whether any amendment to the territorial description or the drayage area of the minimum rate tariffs would be incorporated automatically into this certificate.

It is apparent that any changes made by the Commission in the territorial descriptions or drayage areas set forth in the minimum rate tariffs are predicated on minimum rate considerations and not public convenience and necessity. On the other hand, any changes in a highway common carrier's certificate of public convenience and necessity must be based solely on public convenience and necessity. It is the Commission's conclusion that the territory and drayage area referred to in the certificate is the corresponding territory and drayage area as described in the minimum rate tariffs at the time the certificate was issued. Any other interpretation would result in a certificate that could be expanded or contracted without any consideration of public convenience and necessity.

The following order will clarify the certificate by stating the territorial and drayage area descriptions specifically by metes and bounds.

Therefore, good cause appearing,

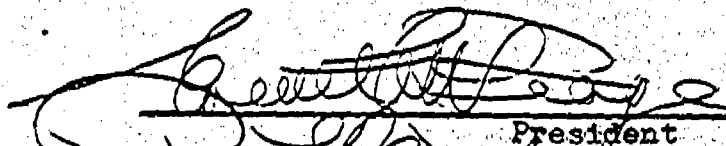
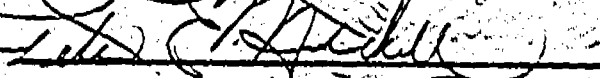
IT IS ORDERED:

(1) That the certificate of public convenience and necessity granted to Rozay's Transfer by Decision No. 60870 dated October 11, 1960, in Application No. 42394, is hereby amended by substituting First Revised Page 1 in place and stead of Original Pages 1 and 2 of Appendix A to said decision, and by adding thereto new appendices designated as Appendix B and Appendix C, attached hereto.

(2) That within one hundred twenty days after the effective date hereof, and on not less than five days' notice to the Commission and to the public, Rozay's Transfer shall amend its tariffs on file with the Commission to reflect the clarification of the certificate here involved.

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

Dated at San Francisco, California, this 21<sup>st</sup> day of February, 1961.

  
President  
  
S. J. Fox  
George B. Hoover  
Frederick B. Whitliff  
Commissioners

Rozay's Transfer, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities:

1. Textiles including raw materials for weaving.
2. Wearing apparel, except on hangers.
3. Thread, buttons, zippers, buckles, fasteners, and clothing ornaments.
4. Chemicals and dyes used for textile processing.

BETWEEN points in the Los Angeles Territory as described in Appendix B attached hereto, except that applicant shall not transport shipments between any two points both of which are located in the Los Angeles Drayage Area as described in Appendix C attached hereto.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. \_\_\_\_\_, Application No. 42394.

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

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 Foothill Boulevard from the intersection of Foothill Boulevard and Michillinda Avenue to Valencia Way; northerly on Valencia Way to Hillcrest Boulevard; easterly and northeasterly along Hillcrest Boulevard to Grand Avenue; easterly and southerly along Grand Avenue to Greystone Avenue; easterly on Greystone Avenue to Oak Park Lane; easterly on Oak Park Lane and the prolongation thereof to the west side of the Sawpit Wash; southerly along the Sawpit Wash to the north side of the Pacific Electric Railway right of way; easterly along the north side of the Pacific Electric Railway right of way to Buena Vista Street; south and southerly on Buena Vista Street to its intersection with Meridian Street; due south along an imaginary line to the west bank of 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 Telegraph Road; westerly on Telegraph Road to the west bank of the San Gabriel River; 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.

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

LOS ANGELES DRAYAGE AREA includes the area embraced by the following boundary.

Beginning at the intersection of 88th Street and Vermont Avenue; southerly along Vermont Avenue to 120th Street; easterly along 120th Street and its prolongation to Alameda Street; northerly along Alameda Street to Century Boulevard; easterly along Century Boulevard to Santa Fe Avenue; northerly along Santa Fe Avenue to Tweedy Boulevard; easterly along Tweedy Boulevard to Stanford Avenue; northerly along Stanford Avenue to Southern Avenue; easterly along Southern Avenue to Atlantic Avenue; southerly along Atlantic Avenue to Southern Avenue; easterly along Southern Avenue to the west bank of the Los Angeles River; northerly along the west bank of the Los Angeles River to Gage Avenue; easterly along Gage Avenue to Garfield Avenue; northeasterly along Garfield Avenue to Anaheim Telegraph Road; southeasterly along Anaheim Telegraph Road to Church Street; northeasterly along Church Street and its prolongation across the Atchison, Topeka and Santa Fe right of way to Vail Avenue; northeasterly along Vail Avenue to Ferguson Drive; westerly along Ferguson Drive to Gerhart Street; northerly along Gerhart Street to Hubbard Avenue; westerly along Hubbard Avenue and its prolongation to Eastern Avenue; southerly along Eastern Avenue to Whittier Boulevard; westerly along Whittier Boulevard to Downey Road; northerly along Downey Road to Hubbard Avenue; westerly along Hubbard Avenue to Indiana Street; northerly along Indiana Street and its prolongation to City Terrace Drive; northerly along City Terrace Drive to Ramona Boulevard; northeasterly along Ramona Boulevard to Eastern Avenue; northerly along Eastern Avenue and Marianna Avenue to the boundary line of the City of Los Angeles; easterly, northerly and westerly along the boundary of the City of Los Angeles to the boundary of Forest Lawn Memorial Park; southwesterly and northwesterly along the boundary of Forest Lawn Memorial Park to Rosslyn Street; southwesterly along Rosslyn Street to San Fernando Road; southeasterly along San Fernando Road to Tyburn Street; southwesterly along Tyburn Street to its intersection with the boundary of the City of Los Angeles; northwesterly and westerly along the boundary of the City of Los Angeles to Barham Boulevard; southerly along Barham Boulevard to Cahuenga Boulevard; southeasterly along Cahuenga Boulevard to Mulholland Highway; westerly along Mulholland Highway to Coldwater Canyon Road; southerly along Coldwater Canyon Road to the boundary of the City of Beverly Hills; southeasterly along the boundary of the City of Beverly Hills to the intersection of La Cienega Boulevard and Olympic Boulevard; easterly along Olympic Boulevard to Victoria Avenue; southerly along Victoria Avenue to Exposition Boulevard; easterly along Exposition Boulevard to Crenshaw Boulevard; southerly along Crenshaw Boulevard to Stocker Street; westerly along Stocker Street to Victoria Avenue; southerly along Victoria Avenue to Slauson Avenue; westerly along Slauson Avenue to Brynhurst Avenue; southerly along Brynhurst Avenue to 59th Street; easterly along 59th Street to Van Ness Avenue; southerly along Van Ness Avenue to 74th Street; easterly along 74th Street to Normandie Avenue; southerly along Normandie Avenue to 88th Street; easterly along 88th Street to the point of beginning.