

**ORIGINAL**Decision No. 62580

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
ALPINE PACKING CO., a Corporation,  
for Extension of Stockton Pickup  
and Delivery Zone to include the  
plant site and property of Alpine  
Packing Co.

Application No. 43475  
(Filed June 6, 1961)

In the Matter of the Investigation into  
the rates, rules, regulations, charges,  
allowances and practices of all common  
carriers, highway carriers and city  
carriers relating to the transportation  
of any and all commodities between and  
within all points and places in the State  
of California (including, but not limited  
to, transportation for which rates are  
provided in Minimum Rate Tariff No. 2).

Case No. 5432  
(Order Setting Hearing  
Dated July 18, 1961)

Alan Short, for Alpine Packing Co., applicant.  
J. C. Kaspar, A. D. Poe and J. X. Quintrall, for  
California Trucking Associations, Inc.;  
Ralph Hubbard, for California Farm Bureau  
Federation; Charles D. Gilbert, for West  
Coast Freight Tariff Bureau; interested  
parties.  
Edward E. Tanner, for the Commission staff.

O P I N I O N

By application filed June 6, 1961, as amended at the hearing, Alpine Packing Co., a packer and distributor of meat products, requests modification of Minimum Rate Tariff No. 2, Item 260-9-A, so as to include its plant site and property in the authorized pickup and delivery zones of Stockton.

On July 18, 1961, the Commission ordered that hearing in Case No. 5432 be held on a consolidated record with the application to determine what extension, if any, should be made of the Stockton Pickup and Delivery Zone.

Public hearing was held August 7, 1961 at Stockton before Examiner J. E. Thompson, following which the matters were taken under submission.

The application was orally amended at the hearing by the elimination of the request for extension of the Stockton exempt area from the application. It was explained that applicant was seeking competitive equality in connection with over-the-highway transportation only.

Applicant presented evidence that its plant and property are adjacent to the incorporated limits of the City of Stockton and therefore adjacent to the northern boundary of the Stockton Pickup and Delivery Zone. The plant is 6.2 miles from the mileage basing point of the Stockton Pickup and Delivery Zone and is slightly over one mile distant from U. S. Highway 99 which is the authorized route for point-to-point rates in Minimum Rate Tariff No. 2 for transportation between Sacramento and Los Angeles. Two of the principal markets for applicant's products are San Francisco and Los Angeles. Because of the above circumstances, the rates on its products to those markets are higher than those from Stockton in that the Sacramento-Los Angeles point-to-point rates which are the minimum rates for transportation between Stockton and Los Angeles are applicable within the Pickup and Delivery Zone or within one mile of U. S. Highway 99, and the 6.2 miles from the plant to the basing point located at Miner and El Dorado Streets, Stockton together with the 94 constructive miles between Stockton and San Francisco result in a higher rate for transporting of its products to the San Francisco market.<sup>1</sup>

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<sup>1</sup> The constructive mileage adds to 100.2 miles. The minimum rates exclusive of surcharges for truckload shipments of fresh meat are:

<u>Constructive Miles</u>		<u>Rate in Cents per 100 Pounds</u>
<u>Over</u>	<u>But not over</u>	
90	100	40
100	110	43

Applicant presented evidence showing that its plant is commercially a part of Stockton.

California Farm Bureau Federation supported the application. California Trucking Associations, Inc., was not opposed to the application as amended and its representative stated that in his opinion the equity of the situation warranted a determination by the Commission at the earliest possible moment.

Official notice is taken of proceedings in Case No. 7024 (Constructive Mileages Investigation) now under consideration. We note that the plant of Alpine Packing Co. is within the extended area for the City of Stockton proposed by the Commission's staff.

We find that the plant and property of Alpine Packing Co. located within the area bounded by Gill Avenue, Lower Sacramento Road, Wakefield Road and the main line of The Western Pacific Railroad Company should be included within the limits of the Stockton Pickup and Delivery Zone and that Item 260-9 of Minimum Rate Tariff No. 2 should be amended accordingly. In order to accomplish said result and not extend the area in and about Stockton within which transportation is exempt from minimum rates, it will be necessary to amend Item 31(1) of said tariff.

O R D E R

Based on the evidence of record and on the findings and conclusions set forth in the preceding opinion,

IT IS ORDERED that:

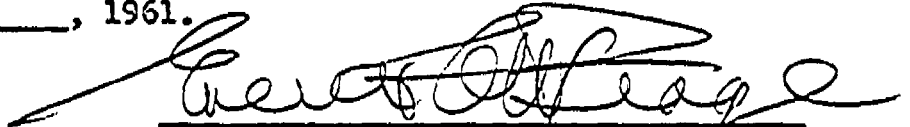
1. Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) is further amended by incorporating therein, to become effective November 4, 1961, Third Revised Page 13-A and Second Revised Page 31-C, which pages are attached hereto and hereby made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the tariff pages incorporated in this order.

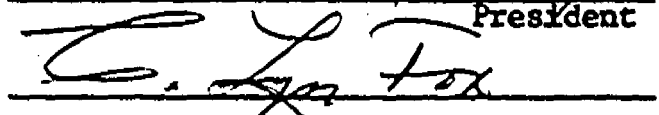
3. In all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

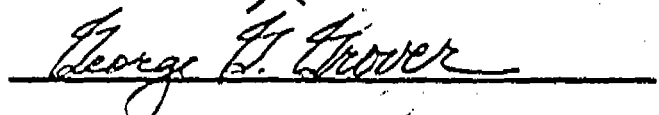
The effective date of this order shall be twenty days after the date hereof.

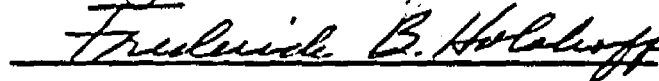
Dated at San Francisco, California, this 19<sup>th</sup>  
day of SEPTEMBER, 1961.



President







Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Item  
No.SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL  
APPLICATION (Continued)

## APPLICATION OF TARIFF - TERRITORIAL

(Concluded)

(Items Nos. 30 and 31)

(i) Shipments having both point of origin and point of destination within the metropolitan Modesto area embraced by the following boundaries (includes both sides of streets, boulevards, roads, avenues or highways named):

All of the City of Modesto, also the territory bounded as follows:

Beginning at the point where the southerly city limits diverge from the Tuolumne River at Beard Brook; thence southerly and easterly along the Tuolumne River to its intersection with Riverside Drive; thence northerly along Riverside Drive to Yosemite Boulevard; thence westerly along Yosemite Boulevard to the city limits at El Vista Avenue.

\*31

(j) Shipments having both point of origin and point of destination within the metropolitan Crescent City area embraced by the following boundaries:

All of the City of Crescent City, also territory located within three miles of the city limits.

(k) Shipments having both point of origin and point of destination within the Watsonville area embraced by the following boundaries:

All of the City of Watsonville, also the territory bounded as follows:

All points and places within two miles of Wall and Main Streets, Watsonville, and all points on or within one-fourth mile of Freedom Boulevard between the corporate city limits of Watsonville and a point commonly known as 5 Mile House, approximately three miles northwest of the corporate city limits of Watsonville.

\*1) Shipments having both point of origin and point of destination within the metropolitan Stockton area embraced by the following boundaries (includes both sides of streets, boulevards, roads, avenues or highways named):

All of the City of Stockton, also the territory bounded as follows:

Beginning at the junction of the San Joaquin and the Calaveras Rivers, easterly along the Calaveras River to the city limits, northerly on an imaginary line to March Lane, westerly, northerly and easterly along the west boundary of the city limits of Don Road, northerly on Don Road to Lucille Avenue, easterly on Lucille Avenue to Thornton Road, southeasterly along Thornton Road to Paloma Avenue, easterly along Paloma Avenue to the city limits, northerly, easterly and southerly along the city limits to Hammer Lane, easterly along Hammer Lane to U. S. Highway 99, southerly along U. S. Highway 99 to the Central California Traction Company's right-of-way, easterly to Hubbard Avenue, southerly along Hubbard Avenue and an imaginary line including the Wilcox Road to the Diverting Canal, southeasterly along the Diverting Canal to the Southern Pacific Company's right-of-way, easterly along the Southern Pacific Company's right-of-way, to a point opposite to the Budd Road, southerly to East Main Street, westerly along East Main Street to Walker Lane, southerly on Walker Lane and an imaginary line to the Carpenter Road, westerly along the Carpenter Road to Sharps Lane, southerly on Sharps Lane to the Sperry Road, including Stockton Field Airport, westerly on Sperry Road and continuing westerly along an imaginary line to U. S. Highway 50 and the French Camp Slough, northerly along the French Camp Slough to the San Joaquin River, northerly along the San Joaquin River to the junction of the Calaveras River, and including the U. S. Naval Supply Annex on Rough and Ready Island.

NOTE 1.-The exceptions provided in Items 30 and 31 do not apply in connection with the transportation of split pickup or split delivery shipments having one or more points of origin or destination outside of the cities or areas designated in these items.

\* Change, Decision No.

62580

EFFECTIVE NOVEMBER 4, 1961

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.

Correction No. 1160

Item No.	SECTION NO. 1-RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*260-9	PICKUP AND DELIVERY ZONES (Continued)
	<p>◇ STOCKTON: (Mileage Basing Point Stockton.) All of the City of Stockton, also the territory bounded as follows:</p>
	<p>Beginning at the junction of the San Joaquin and the Calaveras Rivers, easterly along the Calaveras River to the city limits, northerly on an imaginary line to March Lane, westerly, northerly and easterly along the west boundary of the city limits to Don Road, northerly on Don Road to Lucille Avenue, easterly on Lucille Avenue to Thornton Road, southeasterly along Thornton Road to Paloma Avenue, easterly along Paloma Avenue to Lower Sacramento Road, northerly on Lower Sacramento Road to Wakefield Road, easterly on Wakefield Road to the right-of-way of the Western Pacific Railroad Company, southerly on Western Pacific Railroad Company's right-of-way to Hammer Lane, easterly along Hammer Lane to U. S. Highway 99, southerly along U. S. Highway 99 to the Central California Traction Company's right-of-way, easterly to Hubbard Avenue, southerly along Hubbard Avenue and an imaginary line including the Wilcox Road to the Diverting Canal, southeasterly along the Diverting Canal to the Southern Pacific Company's right-of-way, easterly along the Southern Pacific Company's right-of-way, to a point opposite to the Budd Road, southerly to East Main Street, westerly along East Main Street to Walker Lane, southerly on Walker Lane and an imaginary line to the Carpenter Road, westerly along the Carpenter Road to Sharps Lane, southerly on Sharps Lane to the Sperry Road, including Stockton Field Airport, westerly on Sperry Road and continuing westerly along an imaginary line to U. S. Highway 50 and the French Camp Slough, northerly along the French Camp Slough to the San Joaquin River, northerly along the San Joaquin River to the junction of the Calaveras River, and including the U. S. Naval Supply Annex on Rough and Ready Island.</p>
	<p>TURLOCK: (Mileage Basing Point, Turlock.) All of the City of Turlock, also the territory bounded as follows:</p>
<p>Beginning at the intersection of the northern city limits and North Broadway, northwesterly along North Broadway to old Highway U. S. 99 at Almond Avenue, northwesterly along old Highway U. S. 99 to new Highway U. S. 99, southeasterly along new Highway U. S. 99 to Almond Avenue, easterly along Almond Avenue to Geer Avenue, northerly along Geer Avenue to Wayside Drive, easterly along Wayside Drive to Pioneer Avenue, southerly along Pioneer Avenue to its intersection with the northern city limits.</p>	
<p>Beginning at the intersection of the southeastern city limits and South Center Street, southeasterly along South Center Street to old Highway U. S. 99, northerly along old Highway U. S. 99 to its intersection with the city limits at D Street.</p>	
<p>UKIAH: (Mileage Basing Point, Ukiah.) All of the City of Ukiah, also the territory bounded as follows:</p>	

Beginning at the intersection of the northern city limits and Highway U. S. 101, northerly along Highway U. S. 101 to Brush Street, easterly along Brush Street to Orr Street, southerly along Orr Street to the northern city limits.

Beginning at the intersection of the southern city limits and Northwestern Pacific Railroad Company right-of-way, southerly along said right-of-way to Talmadge Road, westerly along Talmadge Road to Highway U. S. 101, northerly along Highway U. S. 101 to southern city limits.

(Continued)

\* Change )  
o Increase )  
o Reduction )

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EFFECTIVE NOVEMBER 4, 1961 .

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.

Correction No. 1161