

**ORIGINAL**

Decision No. 63025

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
ESTERO CORPORATION, doing business as )  
ESTERO CORPORATION, a corporation, )  
and also under the fictitious name of )  
KI-BALL TRUCKING for an expansion and )  
restatement of their certificate of )  
public convenience and necessity to )  
operate as a highway common carrier )  
of general commodities, and the )  
issuance of an in lieu certificate )  
of public convenience and necessity. )

Application No. 43463

Joseph L. Altagen and Milton W. Flack, for applicant.  
Arthur H. Glanz, for Boulevard Transportation Co.,  
California Cartage Company, California Motor  
Express, Ltd., Constructors Transport Co., Delta  
Lines, Inc., Merchants Express of California,  
Oregon-Nevada-California Fast Freight, Southern  
California Freight Lines, Pacific Motor Trucking  
Company, Peters Truck Lines, Shippers Express  
Company, Sterling Transit Company, Valley Motor  
Lines, Inc., Valley Express Co. and Willig  
Freight Lines, interested parties.

O P I N I O N

This application was heard before Examiner Thomas E. Daly at Los Angeles on October 24 and 25, 1961, with the matter being submitted upon the receipt of an amendment to the application filed November 1, 1961. Copies of the application and the notices of hearing were served in accordance with the Commission's procedural rules. The application was originally protested by the above-named interested parties who changed their appearances upon the filing of the amended application which seeks the transportation of limited commodities rather than general commodities as first requested.

Applicant is presently authorized to transport general commodities between Los Angeles and Wilmington via Huntington Park

and Long Beach via Long Beach Boulevard, including all intermediate points; between Los Angeles and Los Angeles Harbor District, including Long Beach but not including intermediate points; and between Long Beach and Wilmington. By its application as amended applicant requests authority to extend its service between all points within the Los Angeles Basin Territory for the transportation of the following commodities:

- (1) Wine, beer, beer ingredients, and brewery supplies.
- (2) Lumber and lumber products.
- (3) Prefabricated buildings, prefabricated structural steel items for use in buildings, and concrete blocks and bricks.

Applicant also requests authority to transport rubber, synthetic and crude, between the City of Torrance and the United States Tire and Rubber Company in East Los Angeles.

Applicant has operated for approximately four years. In addition to its certificated service it operates as a highway contract carrier, serving 28 accounts. It maintains a terminal in Azusa, where it employs 19 persons including drivers; it owns and operates 31 units of equipment, including van and flat-bed trailers. As of March 31, 1961, applicant indicated a net worth in the amount of \$273,008.59 and for the first three months of 1961 realized a net profit in the amount of \$8,697.37.

Applicant proposes daily overnight and same-day service, Monday through Friday. The proposed rates would be in conformity with those published in Minimum Rate Tariff No. 2.

Applicant introduced the testimony of five public witnesses, and the testimony of a sixth witness was stipulated. Two witnesses represented beer distributing companies and one represented a large

brewery. Another witness represented a construction company engaged in the prefabrication and assembling of metal buildings, while another represented a lumber company. All testified that they are presently using applicant's service to points within the proposed area for the transportation of commodities covered by the application as amended. Their shipments are primarily in truckload quantities and they have found applicant's service completely satisfactory in meeting their particular business needs and requirements. It was stipulated that if called, a sixth witness would testify in support of applicant's proposal to transport rubber, synthetic and crude, between the City of Torrance and the site of the United States Tire and Rubber Company in East Los Angeles.

After consideration the Commission finds and concludes that public convenience and necessity require the granting of the authority sought. A new certificate will be granted to applicant restating its operating authority as a highway common carrier.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Estero Corporation authorizing it to operate as a highway common carrier as defined in Section 213 of the Public Utilities Code, between the points and over the routes set forth in Appendices A & B attached hereto and hereby made a part hereof.

2. 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 and insurance requirements of the Commission's General Order No. 100-B. 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-B, may result in a cancellation of the operating authority granted by this decision.
- (b) Within one hundred twenty 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. The certificate of public convenience and necessity granted in paragraph 1 of this order supersedes the operating authority acquired by applicant by Decision No. 61929, dated May 1, 1961, in Application No. 43244, which operating authority is hereby revoked, said revocation to become effective concurrently with the effective date of the 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 January, 1962.

Ernest W. Page  
President

John E. [Signature]

[Signature]

George W. [Signature]

Frederick B. [Signature]

Estero Corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities between the following points:

1. General commodities

- (a) Between Los Angeles and Wilmington over and along the following route serving all intermediate points: From the City of Los Angeles to the City of Vernon, thence via Pacific Blvd. and Long Beach Blvd. via Huntington Park, South Gate, Lynwood, Compton to Long Beach, thence via Pacific Coast Highway to Wilmington District of the City of Los Angeles, return the reverse of above.
- (b) Between Los Angeles and Los Angeles Harbor District, including Wilmington, San Pedro, Terminal Island and Long Beach, via Alameda Street (formerly Harbor Truck Blvd.) serving no intermediate points between the southern boundary of Los Angeles at Slauson Blvd., and the northern boundary of Wilmington at the prolongation of Lomita Blvd.
- (c) Between Long Beach and Wilmington.

2. (a) Barrels, ale, beer or non-intoxicating cereal beverages, as described in Items 10080 and 10082 (See Note).  
Brewers' malt yeast food, as described in Item 39520 (See Note).  
Brewers' wort, as described in Item 39530 (See Note).  
Brewery beer cooler sections, as described in Items 62730 and 62740 (See Note).  
Chips or shavings, brewers', as described in Item 26775 (See Note).  
Coolers, beer, as described in Items 30610 and 30620 (See Note).  
Grits, brewers', as described in Items 47060 and 47070 (See Note).  
Hops, as described in Item 52280 (See Note).  
Liquors, malt: Ale, beer, beer tonic, porter, stout or non-intoxicating cereal beverages, as described in Item 56850 (See Note).  
Pitch, brewers', as described in Item 6810 (See Note).  
Rice, brewers', as described in Item 40680 (See Note).  
Tanks: Beer cooler, as described in Item 66100 (See Note).  
Wine, noibn, as described in Item 56870 (See Note).  
Yeast, as described in Items 41130 through 41150 (See Note).

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- (b) BUILDING WOODWORK OR SHIPS' JOINER WORK, WOODEN, as described in Items 18265 through 18770 (See Note).  
LUMBER, VENEER, OR FOREST PRODUCTS, as described in Items 57580 through 58450 (See Note).
- (c) BRICK, BLOCKS, SLABS, TILE OR RELATED ARTICLES, as described in Items 15170 through 15340, 15360 through 15380, 15410, 15430, 15440, 15460, 15480, 15500 through 15530 (See Note).  
Building blocks, as described in Item 53185 (See Note).  
BUILDING METAL WORK, INCLUDING ROOF TRIMMINGS OR GUTTERING OR VENTILATORS, as described in Items 16885 through 18150 (See Note).  
Gypsum or plaster blocks, planks, slabs or tile, as described in Item 16470 (See Note).  
Houses or buildings, as described in Items 18860 through 18960 (See Note).

BETWEEN all points and places in the Los Angeles Basin Territory as described in Appendix B attached hereto.

3. Latex and Rubber, crude, as described in Items 84240, 84250 and 84270 (See Note) between Torrance, on the one hand, and East Los Angeles, on the other hand, serving no intermediate points, via all available routes.

NOTE: The term "Items" as used above refers to the specified items published in Western Classification 77, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof, including Supplements 9, 11, 15, 18, 22 and 25 thereof.

End of Appendix A

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LOS ANGELES BASIN TERRITORY includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway No. 118, approximately two miles west of Chatsworth; easterly along State Highway No. 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U. S. Highway No. 99; northwesterly along U. S. Highway No. 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwesterly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U. S. Highway No. 60; southwesterly along U. S. Highways Nos. 60 and 395 to the county road approximately one mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the City of San Jacinto; easterly, southerly and westerly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to the right of way of The Atchison, Topeka & Santa Fe Railway Company; southwesterly along said right of way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to the County road intersecting U. S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said county road to U. S. Highway No. 395; southeasterly along U. S. Highway No. 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning.