

ORIGINALDecision No. 63596

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Milo R. Brown and Maurice C.
Brown, doing business as TODD
FREIGHT LINES, for permission to
remove restrictions and an in lieu
certificate to operate as a highway
common carrier.

Application No. 43030

ORDER MODIFYING DECISION NO. 63220
AFTER RECONSIDERATION OF RECORD

The applicants were operating as a highway common carrier under a certificate authorizing the hauling of general commodities between Turlock and Manteca on U. S. Highway 99, and all places within a 20-mile lateral; between Modesto and Strawberry via State Highways 108 and 120, and all places within a 5-mile lateral; between Modesto and Camp Connell via State Highways 4, 49 and 120, and all places within a 5-mile lateral; and between Modesto and Linden, San Andreas, Angeles Camp and Jamestown, via State Highways 4 and 49, and all places within a 5-mile lateral.

Application No. 43030, filed on January 6, 1961, requested an extension of authority to allow the transport of general commodities and refrigerated items between all points in or within the Counties of Madera, Merced and Stanislaus; also, between Tracy and Manteca, on the one hand, and San Francisco Territory, intermediate points on U. S. Highways 50 and 99 between Castro Valley and Sacramento, U. S. Highway 101 and State Highway 152 between San Jose and Los Banos, on the other hand. All points and routes listed were to include a 25-mile lateral, including the applicants' present authority.

The Commission issued Decision No. 63220 on February 6, 1962. The decision in effect granted the applicants Stanislaus, Merced and Madera Counties, also U. S. Highway 50 between Tracy and its junction with State Highway 120, inclusive. The laterals were extended to 20 miles off U. S. Highway 99 and 10 miles off the other routes traveled.

On February 23, 1962, the applicants filed a "Petition for Modification of Decision No. 63220, and Reconsideration of Record". The petition alleges that Decision No. 63220 should be modified to extend the applicants' operating authority north on U. S. Highway No. 99 to include Stockton and Sacramento and from Manteca to Tracy. The petition refers to an apparent ambiguity in an ordering paragraph of the decision, and the requirements of its shippers as a basis for the requested modification.

A study of the record reveals that the applicants are now authorized to serve from Tracy on U. S. Highway 50 to Manteca on State Highway 120. Paragraph 2b of Appendix A to Decision No. 63220 covers service from Tracy along U. S. Highway 50 to its junction with State Highway 120. Paragraph 2a extends their authority in an easterly direction along State Highway 120, from its junction with U. S. Highway 50 to its junction with State Highway 108 at a point approximately 15 miles east of Manteca.

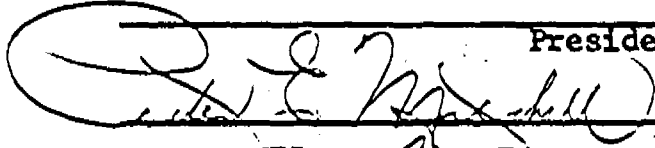
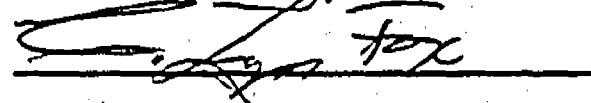
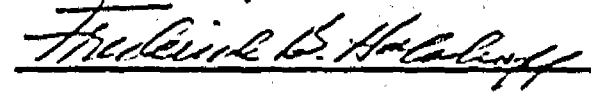
It appearing upon a reconsideration of the record that a portion of the operating authority to be granted was inadvertently omitted from Decision No. 63220, and good cause appearing,

IT IS ORDERED that Appendix A to Decision No. 63220 is hereby amended to extend the applicants' operating authority north on U. S. Highway 99 to include Stockton by substituting the attached Second Revised Page 2 for First Revised Page 2 of Appendix A to Decision No. 63220.

The applicants' petition is denied in all other respects.

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

Dated at San Francisco, California, this 21st day of APRIL, 1962.

 President


Commissioners

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

B. Milo R. Brown and Maurice C. Brown, doing business as Todd Freight Lines, are authorized to transport the commodities set forth in paragraph A of this appendix between the following points:

1. Between all points and places on and within twenty miles laterally of U. S. Highway 99 between Stockton and Turlock, inclusive.
2. Between all points and places on and within ten miles laterally of the following highways:
 - a. State Highway 120 between its junction with U.S. Highway 50 and its junction with State Highways 49 and 108 at Yosemite Junction, inclusive.
 - b. U.S. Highway 50 between Tracy and its junction with State Highway 120, inclusive.
 - c. State Highway 108 between its junction with State Highway 120 at Yosemite Junction and Strawberry, inclusive.
 - d. State Highway 49 between Sonora and San Andreas, inclusive.
 - e. State Highway 4 between Angels Camp and Camp Connell, inclusive.
 - f. Unnumbered county highway between Escalon and Bellota, inclusive.
 - g. State Highway 8 between Bellota and Valley Springs, inclusive.
 - h. State Highway 12 between Valley Springs and San Andreas, inclusive.
3. Between all points and places in the Counties of Madera, Merced and Stanislaus.

Issued by California Public Utilities Commission.

Decision No. 6.3396, Application No. 43030.