

ORIGINAL

65713

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CALIFORNIA MOTOR EXPRESS, LTD., a)
 corporation, for an in lieu certi-)
 ficate of public convenience and)
 necessity to consolidate, restrict,)
 and extend its authority as an)
 express corporation.)

Application No. 45458

O P I N I O N

California Motor Express, Ltd., presently operating as an express corporation as defined in Section 219 of the Public Utilities Code, requests that its operating authority be restated to conform to the operating authority of California Motor Transport Co., applicant's affiliate and underlying carrier.

It is alleged that originally both services were limited to the transportation of commodities between San Francisco Bay points and the Los Angeles area; in response to needs of the shipping public, both applicant and its affiliate, by way of purchases authorized by this Commission, and by way of applications for extensions granted by this Commission, have extended their operating authorities so that the authority of each company now authorizes service to and from points in a large portion of the State; there is, however, a lack of uniformity in the services authorized to be performed by applicant and its affiliate, and such lack of uniformity is confusing to the shipping public and to applicant's employees.

Upon consideration of the record, the Commission finds that public convenience and necessity require the restatement of applicant's operating authority. Based upon the foregoing finding, the Commission concludes that the application should be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to California Motor Express, Ltd., authorizing it to operate as an express corporation as defined in Section 219 of the Public Utilities Code, between the points as set forth in Appendices A, B, C and D attached hereto and 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. Failure to file such reports, in such form and at such time as the Commission may direct, may result in a cancellation of the operating authority granted by this decision.

(b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file in the Commission's office in triplicate tariffs satisfactory to the Commission.

- (c) The tariff filings shall be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the establishment of the service herein authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-A.

3. The certificate of public convenience and necessity granted in paragraph 1 of this order supersedes all existing prescriptive operating rights and certificates of public convenience and necessity authorizing the transportation of express traffic heretofore granted to or acquired by California Motor Express, Ltd., and presently possessed by it, which operative rights and certificates are 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 16th day of JULY, 1963.

William K. Bennett
President

George E. Trower
Commissioners

Fredrick B. Holbrook
Commissioners

California Motor Express, Ltd., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as an Express Corporation as defined in Section 219 of the Public Utilities Code as follows:

- A. Between all points and places in the following territories:
 1. San Francisco Territory as described in Appendix B attached hereto.
 2. Los Angeles Basin Territory as described in Appendix C attached hereto.
 3. San Diego Territory as described in Appendix D attached hereto.
- B. Between all points and places within the areas bounded as follows:
 1. In Marin County west of U.S. Highway 101 and south of an imaginary line running due west from Novato to the Pacific Ocean.
 2. Commencing at Auburn, southerly on State Highway 49 to Yosemite Junction, westerly on State Highway 120 to Manteca, northerly on U.S. Highway 99 to Sacramento, northeasterly on U.S. Highway 40 to Auburn.
 3. In San Diego County west of U.S. Highway 395 and south of an imaginary line between San Clemente and Temecula.
 4. Within 20 miles easterly of U.S. Highway 99 between Manteca and Fresno, except that applicant shall not serve any point on State Highway 140 east of Planada.
 5. Within 25 miles northerly of State Highway 4 between Stockton and Brentwood.
 6. Within three miles southerly of U.S. Highway 99 between Colton and Redlands, inclusive.

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7. Commencing at San Ardo, thence easterly on an imaginary line to a point on State Highway 33 ten miles northerly of Coalinga, southerly on State Highway 33 to McKittrick, westerly via county roads to Atascadero via Simmler, Pozo and Santa Margarita, northerly via U.S. Highway 101 to San Ardo, including all points within 10 miles laterally to the south of said area.
8. Commencing at San Simeon, thence east via an imaginary line to Bradley, thence south via U.S. Highway 101 to Arroyo Grande, thence west to the Pacific Ocean, thence north via the coastline to a point directly west of San Simeon and thence east to San Simeon, serving the off-route point of Arroyo Hondo and points within 10 miles laterally of State Highway 1 between San Simeon and Arroyo Hondo.
9. Commencing at Arroyo Grande, southerly on U.S. Highway 101 to Gaviota, thence southerly to the Pacific Ocean, thence westerly and northerly via the coastline to Pismo Beach, thence to Arroyo Grande.
10. Bounded on the northeast and south by that certain unnumbered county road via Garey, Sisquoc (Foxen Canyon), Los Olivos, Santa Ynez, Solvang and Buellton, and on the west by U.S. Highway 101, serving points within 10 miles easterly of said county road.
11. Commencing at Tracy, thence via State Highway 33 south to Maricopa and east to Mettler Station, thence north via U.S. Highway 99 to Stockton, thence south to the point of beginning, serving points within five miles west of said area between Tracy and Mendota, ten miles west of said area between Mendota and Maricopa, and five miles south of said area between Maricopa and Mettler Station.
12. Commencing at Fresno, easterly and southerly on unnumbered highways via Sanger, Parlier, Reedley and Dinuba to Orosi, south on State Highway 63 to Visalia, east on State Highway 198 to junction with State Highway 65 near Exeter, south on State Highway 65 to Ducor, southerly on unnumbered highway to Delano via Richgrove, northerly on U.S. Highway 99 to Fresno, serving points within ten miles laterally to the north and east of said area.
13. Within ten miles east of U.S. Highway 99 between Delano and Greenfield, including the off-route point of Arvin.

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14. Commencing at Ventura, northerly on U.S. Highway 399 to its junction with State Highway 150 near Ojai, thence via State Highways 150 and 126 to U.S. Highway 99, thence south via U.S. Highway 99 to the northern boundary of the Los Angeles Basin Territory, as described in Appendix C attached hereto, thence west and south via said boundary of the Los Angeles Basin Territory to the Pacific Ocean, thence north and west via the coastline to a point directly south of Ventura, thence north to the point of beginning.
- C. Between all points on and within twenty miles laterally of the following highways:
1. U.S. Highways 99, 99E and 99W between Project City and Sacramento, inclusive.
 2. U.S. Highway 40 between Colfax and Richmond, inclusive.
 3. State Highway 49 between Auburn and Grass Valley, inclusive.
- D. Between all points and places on or within ten miles laterally of the following highways:
1. Between King City and Bradley via Jolon and Lockwood on unnumbered county road.
 2. Unnumbered highway between San Luis Obispo and Arroyo Grande, inclusive, via Edna.
 3. Unnumbered highway between Arroyo Grande and Musick, inclusive, via Santa Manuela.
 4. Unnumbered highway between Arroyo Grande and Adams Ranch, inclusive, via Huasna Valley.
 5. U.S. Highway 101 between King City and Santa Barbara, except for those points and lateral points included in other paragraphs of this appendix and certificate.
- E. Between all points and places on and within five miles laterally on the following highways:
1. Unnumbered highway between Project City and Summit City, inclusive.
 2. Unnumbered highway between Chico and Stirling City, inclusive.

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3. State Highway 20 between Marysville and Nevada City, inclusive.
4. Unnumbered highway between Colfax and Grass Valley, inclusive.
5. U.S. Highway 101 between Geyserville and the Los Angeles-Ventura County line, inclusive, except as otherwise provided.
6. State Highway 128 between Geyserville and Calistoga, inclusive.
7. Unnumbered highway between Fulton and Calistoga, inclusive.
8. State Highway 29 between Calistoga and Vallejo, inclusive.
9. Unnumbered highway between Bodega Bay and Sebastopol, inclusive, via Freestone.
10. Unnumbered highway between Bodega Bay and Petaluma, inclusive, via Bloomfield.
11. State Highway 12 between Sebastopol and Lodi, inclusive.
12. State Highway 37 between Ignacio and Napa, inclusive.
13. State Highway 48 between Sears Point and Vallejo, inclusive.
14. State Highway 21 between Cordelia and Fremont, inclusive.
15. State Highway 17 between San Rafael and Santa Cruz, inclusive.
16. U.S. Highway 50 between San Francisco and Stockton, inclusive.
17. State Highway 24 between Oakland and Sacramento, inclusive.
18. State Highway 4 between Pinole and Stockton, inclusive.
19. Unnumbered highway between Concord and Tracy, inclusive, via Clayton and Byron.

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20. Unnumbered highway between Pleasanton and Livermore, inclusive.
21. State Highway 9 between Hayward and Santa Cruz, inclusive.
22. Unnumbered highway between Boulder Creek and Big Basin, inclusive.
23. State Highway 1 between Santa Cruz and Carmel, inclusive.
24. Unnumbered highway between Watsonville and Aptos, inclusive, via Freedom.
25. Unnumbered highway known as Chittenden Pass Highway between Watsonville and its junction with U.S. Highway 101 near San Juan Bautista.
26. State Highway 156 between Castroville and Hollister, inclusive.
27. State Highway 25 between Gilroy and Hollister, inclusive.
28. State Highway 68 between Monterey and Salinas, inclusive.
29. U.S. Highway 99 between Sacramento and San Fernando, inclusive, except as otherwise provided.
30. Unnumbered highway and San Joaquin County Highway J8 between Sacramento and Stockton, inclusive, via Franklin and Thornton.
31. State Highway 120 between its junction with U.S. Highway 50 near Lathrop and Escalon, inclusive.
32. Unnumbered highway between Salida and Oakdale, inclusive, via Riverbank.
33. State Highway 152 between Watsonville and Los Banos, inclusive.
34. Unnumbered highway known as Clovis Avenue between Clovis and its junction with State Highway 180, inclusive.
35. U.S. Highway 395 between Riverside and San Diego, inclusive.

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F. Between all points and places on the following highways:

1. State Highway 4 between Angels Camp and Murphys, inclusive.
2. Unnumbered highway between Sonora and Vallecito, inclusive, via Columbia.
3. State Highway 108 between Sonora and Mill Creek, inclusive, including the off-route points of Pinecrest, Standard, Soulsbyville and Tuolumne via unnumbered highways including intermediate points.
4. State Highway 120 between Yosemite Junction and Carlon, inclusive, including the off-route points of Moccasin, Mather, Hetch Hetchy Reservoir and Cherry Valley Reservoir via unnumbered highways including intermediate points.
5. Unnumbered highway between Carmel and Carmel Valley Post Office (Carmel Village).

Through routes and rates may be established between any and all points described in paragraphs A through F.5. above.

Lateral miles referred to in this appendix are statute miles of 5,280 feet each, measured in a straight line without regard to terrain features.

Applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.

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3. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, cwes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
5. Commodities when transported in bulk in dump trucks, or in hopper-type trucks.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Logs.
8. Articles of extraordinary value as set forth in Rule 3 of Western Classification 77, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof.
9. Class A and B explosives as described in and subject to the regulations of Agent H. A. Campbell's Tariff No. 10.

End of Appendix A

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SAN FRANCISCO TERRITORY includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County boundary line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U. S. Highway 101; southerly along an imaginary line 1 mile west of and paralleling U. S. Highway 101 to its intersection with Southern Pacific Company right of way at Arastradero Road; southeasterly along the Southern Pacific Company right of way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to E. Parr Avenue; easterly along E. Parr Avenue to the Southern Pacific Company right of way; southerly along the Southern Pacific Company right of way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillisdale Avenue; easterly along Hillisdale Avenue to U. S. Highway 101; northwesterly along U. S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwestwesterly along McKee Road to Capitol Avenue; northwesterly along Capital Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbor Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U. S. Highway 40 (San Pablo Avenue); northerly along U. S. Highway 40 to and including the City of Richmond; southwestwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning.

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; southwestwesterly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U. S. Highway No. 60; southwestwesterly 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; southwestwesterly 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.

SAN DIEGO TERRITORY consists of the area bounded as follows: Beginning at the junction of Torrey Pines Road and U. S. Highway 101 (4 miles north of La Jolla); thence easterly to Miramar; thence southeasterly to Lakeside, located on State Highway 67; thence southerly to Bostonia; thence southeasterly to Jamul, located on State Highway 94; thence due south to the International Boundary; thence westerly along the International Boundary to the Pacific Ocean; thence along the Pacific coast to a point due west of the point of beginning; thence due east to the point of beginning.