

ORIGINALDecision No. 67194

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of: WESTERN TRUCK LINES, LTD., a
corporation, for an in lieu certifi-
cate of public convenience and
necessity, pursuant to Sections
1063-1064 of the California Public
Utilities Code, as a common carrier
of general commodities between points
and places in California as
designated.

Application No. 45636

Theodore W. Russell and Lloyd R. Guerra, for
Western Gillette, Inc., applicant.

O P I N I O N

Western Gillette, Inc.^{1/} requests that its operating authority as a highway common carrier be restated.

A public hearing was held before Examiner Daly at Los Angeles on March 18, 1964, and the matter was submitted. No appearance was made in protest to the authority sought.

Applicant presently operates within the state pursuant to prescriptive authority predicated upon operations actually conducted on July 26, 1917, and certificates of public convenience and necessity subsequently issued. The requested restatement of service is substantially the same as that presently provided. Some minor changes are proposed which would result both in restrictions and in limited extensions of service.

It is alleged that a number of certificates are stated in terms that make it difficult to fix with certainty the exact

^{1/} The corporate name of applicant was changed from Western Truck Lines, Ltd. to Western Gillette, Inc.

description of the limitations designated in the original orders. It is further alleged that in order for the restated certificate to be meaningful it is necessary for applicant to adopt a consistent plan of commodity description and consolidated territorial descriptions into service areas which have some geographic and economic unity and as a result the proposed service under the restated certificate produces both abandonments and extensions of service of a limited character.

After consideration the Commission finds that public convenience and necessity require the granting of the authority sought.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Western Gillette, Inc. authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, between the points set forth in Appendices A, B, C, D, E, F, G, H, I and J 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 and to comply with and observe the safety rules of the California Highway Patrol, the 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, applicant shall establish the service herein authorized and file tariffs, in triplicate, in the Commission's office.
- (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 certificates of public convenience and necessity authorizing the transportation of general commodities heretofore granted to or acquired by Western Gillette, Inc. and presently possessed by it, which certificates, together with all prescriptive rights, are hereby revoked, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

4. The authority revoked by paragraph 3 of this order includes all prescriptive rights and the rights granted by Decisions Nos. 24066, 26995, 27766, 32980, 33073, 32875, 33820, 32245, 35652, 37110, 38050, 43003, 47901, 48698, 51286, 55398, 60845, 63716.

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

Dated at San Francisco, California, this 12th day of May, 1964.

William L. Bernard
President
Robert W. King
George E. Grover

-3- Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.

Western Gillette, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities as follows:

A. Between all points and places in each of the following described areas, on the one hand, and all points and places in each of the other following described areas, on the other hand.

1. The San Francisco Bay Area, as described in Appendix B attached hereto.
2. The Sacramento-Delta Area as described in Appendix C attached hereto.
3. The Bakersfield-Stockton Area as described in Appendix D attached hereto.
4. The Lake Tahoe-High Sierra Area as described in Appendix E attached hereto.
5. The Mojave-Bishop-Topaz Lake Area as described in Appendix F attached hereto.
6. The Los Angeles Basin Area as described in Appendix G attached hereto.
7. The Indio-Blythe Area as described in Appendix H attached hereto.
8. The San Diego Area as described in Appendix I attached hereto.
9. The Imperial Valley Area as described in Appendix J attached hereto.

B. Between points and places locally with the following described areas.

1. The Sacramento-Delta Area as described in Appendix C attached hereto.

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.

2. The Bakersfield-Stockton Area as described in Appendix D attached hereto.
3. The Lake Tahoe-High Sierra Area as described in Appendix E attached hereto.
4. The Mojave-Bishop-Topaz Lake Area as described in Appendix F attached hereto.
5. The Indio-Blythe Area as described in Appendix H attached hereto.

C. Between Los Angeles, Vernon, Maywood, Bell, Huntington Park, South Gate and intermediate points, and Glendale.

Lateral and radial miles referred to in the appendices are statute miles of 5,280 feet each, measured in a straight line without regard to terrain features.

Applicant is authorized to operate over any and all available routes between and within said above designated areas and places. In connection with the services authorized in Paragraphs A and B above, applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements as set forth in Paragraph (d) of Item 10-C of Minimum Rate Tariff No. 4-A.
2. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sows, steers, stags, or swine.
3. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles.
4. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
5. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

End of Appendix A

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Decision No. 67194, Application No. 45636.

The San Francisco Bay Area includes all points and places within the following areas:

- A. The 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 the U. S. Highway No. 101; southerly along an imaginary line 1 mile west of and paralleling U. S. Highway No. 101 to its intersection with the corporate boundary of the City of San Jose; southerly, easterly and northerly along said corporate boundary to its intersection with State Highway No. 17; northerly along State Highway No. 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, Harbord 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 No. 40 (San Pablo Avenue); northerly along U. S. Highway No. 40 to and including the City of Richmond; southwesterly 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 water front and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning.
- B. All points and places on and within five miles laterally of U. S. Highway 101 between San Francisco and San Rafael, including San Rafael.

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.

- C. All points and places on and within five miles laterally of State Highway 17 between San Rafael and its junction with U. S. Highway 40.

End of Appendix B

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Decision No. 67194, Application No. 45636.

The Sacramento-Delta Area includes all points and places within the following areas:

1. All points and places on and within five miles laterally of U. S. Highway 99 between Sacramento and Stockton, including both Sacramento and Stockton and points within five miles of each.
2. All points and places on and within five miles laterally of U. S. Highway 50 between Sacramento and Nimbus, including Nimbus.
3. All points and places on and within five miles laterally of State Highway 4 between Stockton and its junction with U. S. Highway 40 near Pinole.
4. All points and places on and within five miles laterally of U. S. Highway 40 between its junction with State Highway 40 near Pinole and the San Francisco Bay Area as described in Appendix B.

End of Appendix C

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Decision No. 67194, Application No. 45636.

The Bakersfield-Stockton Area includes:

1. All points and places on and within five miles laterally of U. S. Highway 99 between Fresno and Stockton, including all of both of said cities.
2. All points on and within twenty miles laterally of U. S. Highway 99 between Bakersfield and Fresno, including all of both of said cities.
3. All points within five miles of Modesto and Fresno.

End of Appendix D

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.

The Lake Tahoe-High Sierra Area includes:

1. All points on U. S. Highway 50 between Pacific House and the junction of U. S. Highway 50, and the California-Nevada boundary line at State Line.
2. All points within five miles of the shore line of Lake Tahoe.
3. Squaw Valley, and all points on State Highway 89 intermediate between Tahoe City and Squaw Valley.
4. All points on and within five miles laterally of State Highway 89 between its junction with U. S. Highway 50 and its junction with U. S. Highway 395.

End of Appendix E

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Decision No. 67194, Application No. 45636.

The Mojave-Bishop-Topaz Lake Area includes the following:

1. All points and places on and within one mile laterally of U. S. Highway 6 between Mojave and the southerly boundary of Inyo County.
2. All points in Inyo and Mono Counties within an area bounded on the west by the westerly boundary of said counties and on the east by an imaginary line five miles east of and parallel to U. S. Highway 395 extending from the southerly boundary of Inyo County to its junction with the California-Nevada State Line.
3. Inyokern, Ridgecrest, and Naval Ordnance Test Station, Chino Lake, and all points on unnumbered highway intermediate between U. S. Highway 6 and Ridgecrest.
4. Keeler, Darwin, Bodie, and Masonic and all points on the highways intermediate between each of said points and U. S. Highway 395.
5. All points on unnumbered highway between Bridgeport and the junction of said highway and the California-Nevada State Line approximately five miles northwest of Masonic.

End of Appendix F

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.

The Los Angeles Basin Area includes all points and places within the following boundary:

Beginning at the intersection of the westerly boundary of the City of Los Angeles and the Pacific Ocean, thence along the westerly and northerly boundaries of said city to its point of first intersection with the southerly boundary of the Angeles National Forest, thence along the southerly boundary of the Angeles and San Bernardino National Forest to the point of intersection of said southerly boundary of the San Bernardino National Forest and the San Bernardino-Riverside County Line, thence in a southerly and westerly direction along said county boundary to a point thereon distant ten miles east of the intersection of said county boundary and U. S. Highway 91, thence generally southerly and southwesterly along a line paralleling and distant ten miles from U. S. Highway 91 to the intersection of said line and a line paralleling an easterly ten miles from State Highway 55, thence in a generally southerly direction to the shore line of the Pacific Ocean along a line ten miles east of and parallel to State Highway 55 and its prolongation to said shore line, then along the shore line of the Pacific Ocean to the point of beginning.

End of Appendix G

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.

The Indio-Blythe Area includes the following:

1. All points and places on U. S. Highway 60 between Indio and its junction with the California-Arizona boundary near Blythe, California.
2. All points laterally within ten miles of U. S. Highway 60 between its junction with the California-Arizona State Line and a point fifteen miles westerly thereof on said U. S. Highway 60.
3. Eagle Mountain, Midland, Palo Verde, and all points intermediate on and along highways between U. S. Highway 60 and each of said named points.

End of Appendix H

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.

The San Diego Territory Area includes:

1. All points and places within the City of San Diego.
2. All points and places in addition to points within the City of San Diego which lie within the following boundaries:

Beginning at the junction of the International Boundary between the United States and Mexico and the shore line of the Pacific Ocean, then northerly along the shore line of the Pacific Ocean to a point due west of the intersection of U. S. Highway 101 and the railroad right-of-way of The Atchison, Topeka and Santa Fe Railway Company south of Del Mar, then along a straight line in a generally southeasterly direction to the junction of State Highway 67 and the San Diego River near Lakeside, then due south to the International Boundary between the United States and Mexico, then westerly along said International Boundary to the point of beginning.

End of Appendix I

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.

The Imperial Valley Area includes the following:

1. Westmoreland and points within a radius of twenty miles of Westmoreland.
2. Winterhaven and points within a radius of twenty miles of Winterhaven.
3. All points on and within twenty miles laterally of U. S. Highway 99 intermediate between Westmoreland and El Centro.
4. All points on and within twenty miles laterally of U. S. Highway 80 between El Centro and the California-Arizona boundary near Winterhaven.

End of Appendix J

Issued by California Public Utilities Commission.

Decision No. 67194, Application No. 45636.