

Decision No. 70308

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
the constructive mileages, and related)
rules and provisions of all common)
carriers, highway carriers and city)
carriers relating to the transportation)
of any and all commodities between all)
points in California (including, but)
not limited to, constructive mileages)
provided in the Distance Table).)

Case No. 7024
(Petition for Modification
No. 18)
(Filed December 20, 1965)

OPINION AND ORDER

Distance Table No. 5 contains the basis for determining constructive mileages in connection with the various minimum rate tariffs issued by the Commission. By the above petition, California Trucking Association seeks to revise the Fresno Extended Area boundary description contained in the Distance Table. Petitioner also asks that common carriers be authorized to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in this proceeding, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

According to petitioner, the establishment of extended areas in Distance Table No. 5 satisfied a need to provide definite, certain and stable descriptions of origin and destination areas consistent with the needs of commerce. Petitioner asserts that changing circumstances have created a need for partial revision of the external boundary description for the Fresno Extended Area. Petitioner avers that, during recent years, substantial development of industrial and commercial facilities has occurred in the Calwa-Malaga District, which is contiguous to the Fresno city limits and,

although the present Fresno Extended Area description in Distance Table No. 5 partially includes this District, the scope and rapidity of development in this area were not completely foreseen.

The petition alleges that the proposed revision has been discussed with interested shipper and carrier representatives and is desired by them. It was served upon various chambers of commerce, shipper organizations and carrier representatives. It was listed on the Commission's Daily Calendar of December 21, 1965. It is supported by the Fresno Chamber of Commerce. No objection has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable and that the Fresno Extended Area set forth in the supplement attached hereto will provide a just, reasonable and nondiscriminatory basis for computing distances for use in applying distance rates from or to such extended area in the applicable minimum rate tariffs and, to the extent that such basis will result in increases, said increases are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Distance Table No. 5 (Decision No. 66578, as amended) is further amended by incorporating therein, to become effective March 12, 1966, Supplement No. 11 attached hereto and by this reference made a part hereof.
2. Tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than March 12, 1966; and the tariff publications which are authorized but not required to be made by common carriers as a result of the order

herein may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the distance table supplement incorporated in this order.

3. Common carriers are authorized to adopt Supplement No. 11 to Distance Table No. 5 as a basis for computing distances for use in applying distance rates in their common carrier tariffs for the transportation of:

- (a) commodities for which minimum rates have not been established, or
- (b) commodities which are subject to higher rates than, or more restrictive provisions than, the minimum rates or provisions otherwise applicable.

4. Common carriers, in establishing and maintaining the revisions authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the revisions published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects Decision No. 66578, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 1st day of February, 1966.

Fredrick B. Hallock
President
John E. McMillin
George H. Hoover
Augusta
Dellman W. Burnett
Commissioners

SUPPLEMENT NO. 11

(Supplements Nos. 9, 10 and 11 Contain All Changes)

TO

DISTANCE TABLE NO. 5

Part 1

of 2 Parts

(Part 2 Consists of Maps)

Decision No. 70308

EFFECTIVE MARCH 12, 1966

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California

Amend Distance Table No. 5 as indicated on the following page:

PART 1

Page
No.

SECTION NO. 2-D--EXTENDED AREA DESCRIPTIONS

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✓FRESNO EXTENDED AREA includes that area embraced within the following boundary: Beginning at the junction of Herndon Avenue and Harrison Avenue in the Community of Pinedale; northerly along Harrison Avenue and its prolongation to the bluffs of the San Joaquin River; northeasterly along the bluffs to the prolongation of Teague Avenue; easterly along the prolongation of Teague Avenue to First Avenue; southerly along First Avenue to Herndon Avenue; easterly along Herndon Avenue to Chestnut Avenue; southerly along Chestnut Avenue to Fresno city limits; easterly along Fresno city limits to Clovis city limits; southerly along Clovis city limits to Fresno city limits; easterly, southerly, easterly and southerly along Fresno city limits to Fowler Avenue; southerly along Fowler Avenue to Olive Avenue; westerly along Olive Avenue to Sunnyside Avenue; southerly along Sunnyside Avenue to Belmont Avenue; westerly along Belmont Avenue to Clovis Avenue; southerly along Clovis Avenue to Central Avenue; westerly along Central Avenue to the bank of the Fresno Canal; southerly and westerly along the Fresno Canal to its intersection with Willow Avenue; northerly along Willow Avenue to Malaga Avenue; westerly along Malaga Avenue to Chestnut Avenue; northerly along Chestnut Avenue to Central Avenue; westerly along Central Avenue to Cedar Avenue; northerly along Cedar Avenue to North Avenue; westerly along North Avenue to Marks Avenue; northerly along Marks Avenue to California Avenue; westerly along California Avenue to Brawley Avenue; northerly along Brawley Avenue to Whitesbridge Avenue; westerly along Whitesbridge Avenue to Blythe Avenue; northerly along Blythe Avenue to West McKinley Avenue; easterly along West McKinley Avenue to Brawley Avenue; northerly along Brawley Avenue to U.S. 99 Freeway, northwesterly along U.S. 99 Freeway to Shaw Avenue; easterly along Shaw Avenue to Forkner Avenue; northerly along Forkner Avenue to Herndon Avenue; easterly along Herndon Avenue to the point of beginning.

✓ Change

The End