

ORIGINALDecision No. 74392

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of M AND M TRANSFER COMPANY, a California corporation, for an Extension of its Certificate of Public Convenience and Necessity to operate as a highway common carrier for the transportation of property to, from and between points and places in the Los Angeles Basin Territory.

Application No. 48327
(Filed March 17, 1966)
(Amended July 21, 1967)

Knapp, Gill, Hibbert and Stevens,
by Warren N. Grossman, and
Charlton A. Mewborn, for applicant.
Arthur H. Glanz, for Alco Transportation Company, Boulevard Transportation Company, California Cartage Company, California Motor Transport Co., Delta Lines, Inc., Desert Express, Oregon-Nevada-California Fast Freight, Pacific Intermountain Express Co., Pacific Motor Trucking Company, Ringsby-Pacific, Ltd., Shippers Express Company, Southern California Freight Lines, Inc., Sterling Transit Co., Inc., T.I.M.E. Freight, Inc., and Walkup's Merchants Express; Russell & Schureman, by R. Y. Schureman and Carl H. Fritze, for Brake Delivery Service, Burton Truck & Transfer Co., City Transfer, Inc., G & H Transportation, Inc., Griley Security Freight Lines, Robert C. Napier Trucking, Inc., Qwikway Trucking Co., S & M Freight Lines, and Swift Transportation Company; Phil Jacobson, for Progressive Transportation Company; protestants.

O P I N I O N

M and M Transfer Company, a corporation, (M&M) seeks authority to serve, as a certificated highway common carrier of general commodities, to, from, and between all points in the Los Angeles Basin Territory (Basin). M&M presently holds intrastate and interstate operating rights between points in the Los Angeles Territory, and to a small area in the vicinity of Fontana, California. M&M intends to register its proposed new rights, if granted, with the Interstate Commerce Commission (ICC), and, therefore, requests a finding that public convenience and necessity require that it be authorized to engage in operations in interstate and foreign commerce within limits which do not exceed the scope of the intrastate operations authorized to be conducted.

Public hearings were held before Examiner Robert Barnett at Los Angeles on July 12, 1966, August 11 and 12, 1966, November 2, 1966, and January 4, 1967. On May 31, 1967 in Decision No. 72507 this Commission granted to M and M Transfer Company a certificate of public convenience and necessity authorizing the sought authority in intrastate commerce. The Commission did not pass upon the interstate commerce aspect of the application because M&M did not cause to be published in the Federal Register notice of the filing of the application as required by Section 206(a)(6) of the Interstate Commerce Act.

Recognizing the procedural difficulties caused by this failure to file in the Federal Register, this Commission stated in its order in Decision No. 72507 that, "if prior to the effective date of this order, M and M Transfer Company gives proper notice to interested persons through publication in the Federal Register

of the filing of this application and of its desire to engage in transportation in interstate and foreign commerce within the limits of the intrastate authority granted herein, and it files an amendment to this application stating that it has complied with this ordering paragraph, and no protest is made, this order shall be amended to include the findings required by Section 206(a)(6) of the Interstate Commerce Act. If protest is made we shall reopen this proceeding to take testimony limited to the need for its transportation service in interstate and foreign commerce within the limits of the intrastate authority granted herein."

On July 21, 1967 M&M filed an amended application in this proceeding stating that "applicant has complied with said ordering paragraph by giving proper notice to interested persons through publication in the Federal Register dated July 6, 1967, of the filing of its application herein and of its desire to engage in transportation in interstate and foreign commerce within the limits of the intrastate authority granted in said Decision No. 72507."

Protests to the grant of the interstate authority were received from various carriers operating in the Los Angeles area. Because of these protests Application No. 48327 was reopened and set for further hearing. On August 30, 1967 a prehearing conference was held at which time protestants objected to the reopening of this case on the ground that the belated filing of notice in the Federal Register was not in compliance with Section 206(a)(6) of the Interstate Commerce Act. The examiner

overruled the objections and the matter was set for taking additional evidence. Further hearings were held on December 4 and 5, 1967 and January 24, 1968. On January 24, 1968 the matter was submitted subject to the filing of briefs which were received April 15, 1968.

At the hearing on December 4, 1967 all protestants joined in motions objecting to the introduction of any evidence on the ground that the Commission had no jurisdiction to proceed in this matter because M&M had not made timely filing in the Federal Register. The objections were overruled and the matter proceeded to hearing.

Testimony and discussion pertaining to intrastate rights have been set forth in Decision No. 72507 and will not be repeated herein. This opinion will be limited to evidence introduced on the interstate aspects of M&M's application. However, the findings of fact will include both findings on interstate commerce and intrastate commerce.

M&M's Evidence on Interstate Commerce

M&M introduced evidence through its president and nine shipper witnesses. M&M's president testified that his company holds interstate operating rights between points in an area described as the Los Angeles Territory and to a small area in the vicinity of Fontana, California. The needs of customers that M&M has been serving under its current authority have grown to the point where M&M has been asked to serve them outside of its present authority and into the Los Angeles Basin. The products

involved are almost exclusively iron and steel and related products which arrive at the Los Angeles Harbor either in interstate or foreign commerce and are destined for points in the Los Angeles Basin.

Because M&M cannot deliver under its own authority into certain points in the Los Angeles Basin ^{1/} M&M has entered into a lease agreement with Westates Transportation Company whereby M&M leases its equipment with driver to Westates so that the transportation may be performed under Westates's authority. All billing is done by M&M on M&M's freight bills. The agreement calls for a payment to Westates from M&M of 10 percent of the gross receipts earned on the haul, plus a \$5 fee for inspection of vehicles. This agreement with Westates was entered into on May 15, 1967 and was in force as of January 24, 1968. The witness stated that M&M would like to terminate said lease arrangement and be able to handle the shipments under its own authority. The present arrangement causes uncertainty among shippers when they see a truck with Westates's insignia hauling loads tendered to M&M. Also, additional paper work is involved. Confusion results from shippers not knowing whom to hold responsible if damage occurs on the shipment and not knowing how much insurance Westates carries on each shipment. There is also a problem of authorizing steamship companies to release goods

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All points within the Los Angeles Territory are included within the Los Angeles Basin Territory. References to transportation to the Basin, unless otherwise stated, mean to points in the Basin not served by M&M under its current authority.

to Westates when the shippers had already told the companies that M&M would be picking up the goods. Ninety-nine percent of M&M's interstate and foreign traffic originates at Los Angeles Harbor.

A representative of General Pipe and Supply testified that his company deals principally in steel products such as structural shapes, beams, angles, channels, bars, and plates. His firm imports approximately 25,000 tons annually of these commodities through the ports of Los Angeles and Long Beach. About 85 to 90 percent of this tonnage moves to the shipper's Los Angeles warehouse. Of the balance, approximately 3,000 to 4,000 tons move to destinations outside of the territory that M&M is presently certificated to serve. General Pipe solicits and serves customers in the outer Los Angeles Basin area and believes such territory to constitute a growing market for its product. It has utilized the services of M&M for approximately three years; at that time having turned to M&M for service because of dissatisfaction with the service of another carrier. It characterized the quality of service received from M&M as excellent. The witness said that the shipments that move into the outer Basin area, beyond the certificated area of M&M, move under the Westates lease agreement. In 1967, about 1,800 tons of steel products moved into this outer area.

A representative of West Coast Steel testified that his firm handles such items as flat sheets, galvanized aluminum roofing, wire products, fencing, hot rolled bars, angles, structurals, nails, and related products. His firm imports

approximately 300 tons of this material each month through the Los Angeles Harbor, with 95 percent of the tonnage going directly to its facilities in Riverside. In the past this tonnage was divided between the shipper's own equipment and M&M. However, in recent months M&M's portion has increased to 75 percent. The witness indicated that he was familiar with the lease arrangement between Westates and M&M and that he had observed Westates signs on M&M's trucks. He said that in the last six months M&M, under its lease agreement, transported approximately 900 tons of steel products from the Los Angeles Harbor to Riverside. He characterized M&M's service as excellent.

A representative of Cal Fab testified that his company is engaged in steel fabrication and imports steel both through the Los Angeles Harbor and by rail. His place of business is in Santa Fe Springs, located outside of the present certificated authority of M&M. His company imports approximately 20 tons of steel per month and anticipates an increased volume of traffic moving from the Harbor to the outer Basin territory. On such traffic it has exclusively used the services of M&M for eight months. Additionally, a large tonnage moves from the Santa Fe Springs facility to the Harbor for shipment in interstate or foreign commerce. The witness felt that M&M provides good service.

A representative of Riverside Steel Construction testified that his company is engaged in construction activities involving large building structures, and fabricates approximately 1,600 tons of steel per month, of which approximately 1,000 tons move inbound.

through the Los Angeles Harbor. Of this 1,000 tons M&M transports about half. Riverside Steel is located in Santa Fe Springs outside of the present certificated area of M&M. It uses M&M on an average of about once a month on shipments from the Harbor. It feels that M&M service is excellent and that other carriers have been unsatisfactory. The witness has seen the Westates signs on M&M's trucks.

A representative of Rutt Steel testified that his company is engaged in the import and sale of steel and steel items from Japan and Europe which move inbound through the Los Angeles Harbor. Such traffic amounts to approximately 3,000 to 4,000 tons a month. Most of this volume moves within M&M's present certificated territory and the witness was not sure of the amounts that move beyond. The witness anticipates an increase in movements to the outer Basin territory and he expects to utilize the services of M&M whenever he has the option to route shipments. In the witness's opinion M&M's service is excellent.

A representative of Central Industrial Engineering Company testified that his firm is a fabricator of structural steel and miscellaneous iron products. Raw steel comes into California for his firm by rail and by vessel through the Los Angeles Harbor. Imports run between 1,000 and 2,000 tons each month. Of this traffic, 85 to 90 percent moves from the Harbor to Santa Fe Springs. M&M gets 80 percent of this Santa Fe Springs traffic and the witness was of the opinion that M&M transported as many as 250 shipments out of the Harbor to its

facilities at Santa Fe Springs in the last six months. The witness further indicated that he sees M&M's equipment as often as three times a week at the Santa Fe Springs facility and he observed the signs M&M on the side of the trucks. In the witness's opinion the services of M&M are excellent.

A representative of Kanematsu-Gosho, a company that is engaged in the importing of steel items through the Los Angeles and Long Beach Harbors, testified that his firm imports 8,000 to 10,000 tons of steel items each month. M&M has been used for the last six years for about 65 percent of this traffic. The witness said that his firm made from 15 to 20 shipments in the last six months into Orange County via M&M with some of the shipments being as much as 3,000 tons. The witness said that M&M's service was excellent.

A representative of Toyomenka, Inc., a firm that imports steel items from Japan, testified that his company imports from 3,000 to 5,000 tons each month. He said that 20 to 25 percent of this tonnage goes to the Orange County and Riverside area outside of M&M's present certificated area. Approximately 24 shipments moved into this area in the last six months. M&M transports about 60 percent of Toyomenka's total traffic and approximately two-thirds of the traffic that goes into the Orange County and Riverside area. The witness said that he has seen "Westates" on the sides of M&M's trucks in the last six months. In the witness's opinion M&M's service was excellent.

A representative of Heede Western and Company, a firm that deals in cranes and hoists imported from Sweden, testified that M&M is utilized on practically 100 percent of all of its shipments. In the last six months there have been only two shipments into the Basin beyond M&M's present certificated area. The witness has found no problem with M&M's service in contrast to problems encountered with other companies.

Protestants' Evidence On Interstate Commerce

Protestants presented eight carrier witnesses plus one witness's testimony by stipulation. Of these nine carriers five testified that they actively compete for business with M&M. These five are: Progressive Transportation Company, Griley Security Freight Lines, City Transfer Company, Inc., Burton Truck and Transfer Company, and Swift Transportation Company. The four companies who oppose the application that do not actively compete for steel shipments with M&M are S & M Freight Lines, Qwikway Transportation Company, Brake Delivery Service, and G & H Transportation Company. These four companies oppose M&M's application because they have general commodity certificates to transport from the Harbor to the Los Angeles Basin area and M&M is requesting a general commodity certificate. The four companies want to make sure that M&M, at some future date, does not enter into the business of transporting commodities other than steel into the Basin territory.

All nine carriers are common carriers operating in interstate commerce pursuant to certificates of registration. All

transport general commodities and, as stated above, five actively compete for steel hauling from the Los Angeles Harbor to the Los Angeles Basin. All testified that their existing fleets are operating below capacity. Each testified that it could handle substantial amounts of additional traffic: S & M could handle 10 to 15 percent more traffic; Brake, 25 percent; G & H, 25 percent; Griley, 15 percent; City Transfer, 15 to 20 percent; and Swift, 10 percent. Further, S & M had equipment in its fleet which was not licensed due to the lack of business; Brake recently sold 10 pieces of equipment; and Burton, a carrier undoubtedly transporting steel items, had 25 percent of its tractors and 43 percent of its trailers not licensed in the last quarter of 1967 and up to the time of the hearing.

In addition, protestants sponsored Exhibit No. 25^{2/}, the most persuasive piece of evidence in this proceeding. This exhibit consisted of six freight bills, five of which represented transportation by M&M through its recent agreement with Westates of loads of steel from the Los Angeles Harbor to those parts of the Los Angeles Basin sought to be certificated by M&M. One of the freight bills concerned transportation to San Francisco which all parties agreed is of no concern in this hearing. It was stipulated by all parties that there was one additional freight bill, not included in Exhibit No. 25, dated August 8, 1967 showing a shipment of steel from Los Angeles Harbor to Riverside, California. The president of M&M admitted that the five freight

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Through inadvertence two exhibits were marked as No. 25: the exhibit with six freight bills and the exhibit of Progressive Transportation Company's certificate of public convenience and necessity No. MC71920. To clarify the record we shall mark the exhibit of Progressive Transportation Company's certificate as Exhibit No. 25a.

bills of Exhibit No. 25 and the freight bill dated August 8, 1967 are the only freight bills that could be located concerning shipments made from the Los Angeles Harbor to points in the Los Angeles Basin outside of the certificated area of M&M. At the hearing counsel for M&M, referring to the six freight bills in question, candidly admitted that "we have the traffic which the company handled. That has been produced. So we can all draw the obvious necessary conclusion without the long, drawn out, elaborate questions that the company did not handle any traffic into the area involved in this application for this shipper or any given shipper during the period of time in question." The following colloquy took place:

"Examiner Barnett: Let me ask, Mr. Grossman: Is it the position of M&M that Westates was used on seven occasions between or since May 15, 1967, and that on one of those occasions was to San Francisco, which we are not concerned with?

Mr. Grossman: This is what our records reflect, Mr. Examiner, and must be it.

Mr. Glanz: That was the only carrier that you had an interchange arrangement with during that period?

Mr. Grossman: I think that's correct.

Mr. Jacobson: The witness is nodding his head yes.

Examiner Barnett: That is the way I understood the testimony to be."

In its brief M&M "concedes the erroneous impression given by certain of its shipper witnesses as to the volume of prior traffic heretofore moved through the Harbor to the outer Basin Territory."

Discussion

An analysis of Exhibit No. 25 shows that of the nine shipper witnesses presented by M&M, all of whom testified that they used M&M or its lessee, Westates, for shipments from the Harbor to points in the Los Angeles Basin outside of the certificated authority of M&M, only three were supported by freight bills covering such shipments: West Coast Steel at Riverside, three shipments; Riverside Steel Construction Company at Santa Fe Springs, two shipments; and Rutt Steel Company, to Colton, California, one shipment.

These freight bills throw considerable doubt upon the testimony of such witnesses as the representative of General Pipe and Supply who testified that his company imports about 25,000 tons of steel per year, has 75 accounts in the Los Angeles Basin Territory, has used M&M for three years, has seen Westates's trucks being used, and has had at least 1,800 tons of steel in 1967 moved to the Basin through arrangements with M&M. Yet, no freight bills for any of these movements were presented. Also, the representative of Central Industrial Engineering testified that he had at least 250 shipments transported through arrangement with M&M from the Los Angeles Harbor to its facility at Santa Fe Springs, admittedly outside of the certificated territory of M&M. Yet, no freight bills for any of these shipments were presented. Similarly, the representative of Kanematsu-Gosho testified that in the past six months he had transported, through an arrangement with M&M, 15 or 20 shipments from the Los Angeles Harbor into Orange County. No freight bills for these shipments were presented. Other examples could be cited.

M&M argues that notwithstanding the disparity between the testimony of the shipper witnesses and the freight bills to substantiate such testimony, "the testimony nonetheless reflects, on an unchallenged basis, the potential of future transportation requirements within that area of service." We cannot agree with M&M. We do not doubt the honesty of the witnesses, but we can come to no conclusion other than that they are mistaken as to the amount of tonnage M&M transported for them to areas outside of M&M's presently certificated area. Consequently, prediction being a parlous occupation at best, we cannot give more credence to statements of witnesses as to their future need than we give to statements of those same witnesses as to their present use, which statements we have found to be mistaken. Further, no shipper witness testified to the inadequacy of the service provided by M&M through its lease agreement with Westates.

Based upon a showing of only six shipments within eight months into the sought territory, plus the unconvincing testimony of shipper witnesses as to their future need for M&M's service into the sought territory, plus the testimony of protestants showing that there is adequate service for all shippers from the Los Angeles Harbor to the sought territory, we find that no present or future need will be served by authorizing M&M's service in interstate and foreign commerce outside of its present interstate and foreign commerce authority. ✓

The findings of fact made in Decision No. 72507 will be restated herein because this is a reopened proceeding and

because M&M has not accepted the intrastate authority granted in Decision No. 72507. M&M's failure to accept such authority was out of fear of jeopardizing its interstate case. Now that the interstate phase of this application has been determined M&M should be given another opportunity to accept the intrastate authority previously granted.

Findings of Fact

A. As to Intrastate Authority

1. M&M operates as a highway common carrier in the Los Angeles Territory pursuant to a certificate of public convenience and necessity issued by this Commission for the transportation of general commodities.

2. M&M operates in the Los Angeles Basin Territory pursuant to radial highway common carrier and contract carrier permits issued by this Commission.

3. M&M seeks certification as a carrier of general commodities, with the usual exceptions, in the Los Angeles Basin Territory. M&M has been providing daily service of general commodities from the Los Angeles Territory to the Los Angeles Basin Territory. This service is approaching, if it is not already, a certificated carrier type of service.

4. The witnesses who appeared for M&M desire that it be authorized to render the service it seeks authority to perform; M&M provides a personalized and special service which they do not obtain from other carriers. They now use M&M's services to a great extent to and from the sought area.

5. Some of M&M's customers have moved portions of their operations from the Territory to the Basin; these customers require common carrier service to the Basin. Also, consignees of these customers have moved from the Territory to the Basin and these consignees require common carrier service. These changes are the result of natural growth and it would be unfair to deprive M&M of this traffic.

6. Under present authority M&M cannot perform split-pickup or split-delivery service when one component part of a shipment is to be picked up or delivered in the Territory and the other component part in the Basin. In this situation each component part must be rated separately, often resulting in higher transportation costs and the preparation of two or more freight bills. Granting the sought authority will remedy this situation thereby reducing the transportation costs of many of M&M's customers, and the expenses of M&M.

7. The protesting carriers will not be materially affected by the expansion of M&M's certificated service.

8. M&M has the experience, equipment, personnel, and financial resources to institute and maintain the service authorized herein.

9. Public convenience and necessity require that the proposed service be authorized to the extent set forth in the following order.

B. As to Interstate Authority

1. Ninety-nine percent of M&M's interstate and foreign traffic originates at Los Angeles Harbor. The portion of this traffic destined to points in the Los Angeles Basin Territory beyond M&M's interstate authority was carried under the authority of Westates Transportation Company pursuant to a lease agreement whereby M&M leases its equipment with driver to Westates.

2. The testimony of shipper witnesses concerning shipments made between May 15, 1967 and December 5, 1967 from Los Angeles Harbor to points in the Los Angeles Basin Territory outside of M&M's presently certificated area, if believed, showed that many thousands of tons moved during that time on an average of at least one shipment each working day.

3. M&M could produce only six freight bills for all shipments moving from the Los Angeles Harbor to points in the Los Angeles Basin Territory outside of its presently certificated authority between May 15, 1967 and January 24, 1968.

4. M&M transported only six shipments in interstate commerce between May 15, 1967 and January 24, 1968 from the Los Angeles Harbor to points in the Los Angeles Basin Territory outside of its presently certificated authority.

5. Because the testimony of shipper witnesses as to present traffic proved in error we give little weight to the testimony of these same witnesses as to their future needs.

6. There are at least five carriers operating in interstate commerce in the territory that M&M seeks to enter that transport the same kind of steel commodities that M&M transports. All are operating below capacity.

7. The presently certificated carriers, and M&M under its lease agreement, provide adequate service to the public from Los Angeles Harbor to the Los Angeles Basin Territory.

8. Public convenience and necessity do not require that the proposed service be authorized in interstate and foreign commerce.

The Commission concludes that the application should be granted to the extent set forth in the following order and that in all other respects it should be denied.

M&M Transfer Company, a corporation, is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to M and M Transfer Company, authorizing it to operate in intrastate commerce as a highway common carrier, as defined in

Section 213 of the Public Utilities Code, between the points particularly set forth in Appendices A and B 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. Failure so to do may result in a cancellation of the operating authority granted by this decision.

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. Applicant is placed on notice that, if it accepts the certificate of public convenience and necessity herein granted, it will be required, among other things, to comply with and observe the safety rules of the California Highway Patrol and the insurance requirements of the Commission's General Order No. 100-D.
- (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.
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

3. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede all existing certificates of public convenience and necessity authorizing the transportation of general commodities heretofore granted to or acquired by M and M Transfer Company, a corporation, and presently possessed by it, which certificates are revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

4. In all other respects Application No. 48327 is denied.
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 16th
day of JULY, 1968.

William Synnott
President
William W. Bennett
Augusta
Paul P. Monroney
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

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APPENDIX A

M AND M TRANSFER COMPANY
(a corporation)

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M and M Transfer Company, a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities, with exceptions hereinafter noted, between all points and places within the Los Angeles Basin Territory as described in Appendix B.

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 Item No. 5 of Minimum Rate Tariff No. 4-B.
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.
3. Livestock; viz., bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring protection from heat by the use of ice (either water or solidified carbon dioxide) or by mechanical refrigeration.

Issued by California Public Utilities Commission.

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Appendix A

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5. 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.
6. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
8. Logs.

Issued by California Public Utilities Commission.

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APPENDIX B TO DECISION NO. 74392

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; southwestly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U. S. Highway No. 60; southwestly 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; southwestly 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 shore line of the Pacific Ocean to point of beginning.