

Decision No. 80109**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
)
 DESERT EXPRESS, a corporation, to)
 merge into and with WESTERN GILLETTE,)
 INC., a corporation, and for the)
 transfer to WESTERN GILLETTE, INC.)
 of a certificate of public con-)
 venience and necessity of general com-)
 modities with specified exceptions,)
 between various points and places in)
 the State of California, pursuant to)
 Sections 851-853 of the California)
 Public Utilities Code and Section 5.)
 of the Interstate Commerce Act.)

Application No. 52637

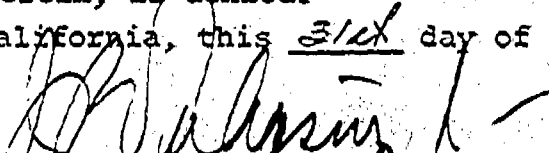
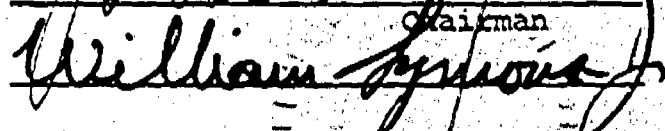
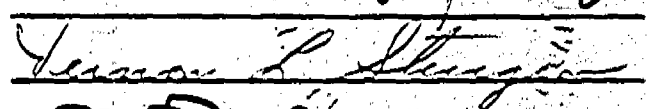

ORDER AMENDING DECISION AND DENYING REHEARING AND RECONSIDERATION

Petition for rehearing and reconsideration of Decision No. 79972 having been filed by Western Gillette, Inc., the Commission having considered each and every allegation thereof, and being of the opinion that no good cause for rehearing and reconsideration has been made to appear, but that certain amendments should be made therein,

IT IS ORDERED that Decision No. 79972 is amended by substituting the attached First Revised Pages 2 and 3 of Appendix A and First Revised Page 1 of Appendices C, D, E, F, G, H, I, J, L and M in the place and stead of Original Pages 2 and 3 of Appendix A and Original Page 1 of Appendices C, D, E, F, G, H, I, J, L and M.

IT IS FURTHER ORDERED that rehearing and reconsideration of Decision No. 79972, as amended herein, is denied.

Dated at San Francisco, California, this 31st day of May, 1972.


 Chairman



 Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A

WESTERN GILLETTE, INC.
(a corporation)

4. The Mojave-Bishop-Topaz Lake Area as described in Appendix H attached hereto.
 5. The Indio-Blythe Area as described in Appendix I attached hereto.
 6. The Tehachapi-Mojave Desert Territory as described in Appendix K attached hereto.
- C. 1. BETWEEN all points and places in the Los Angeles Basin Area as described in Appendix C attached hereto, on the one hand, and on the other hand:
- a. All points and places in the Bakersfield Territory as described in Appendix L attached hereto.
 - b. All points and places in the Tehachapi-Mojave Desert Territory as described in Appendix K attached hereto.
 - c. All points and places in the San Francisco Bay Area as described in Appendix B attached hereto and all intermediate points and off-route points within five miles of either side of the highways set out in paragraph C7 hereof north of Bakersfield.
 - d. Bakersfield.
2. BETWEEN Bakersfield and all points and places in:
- a. The Bakersfield Territory as described in Appendix L attached hereto.
 - b. The Tehachapi-Mojave Desert Territory as described in Appendix K attached hereto.
3. BETWEEN all points and places in the Tehachapi-Mojave Desert Territory as described in Appendix K attached hereto, and:
- a. All points and places in the Bakersfield Territory as described in Appendix L attached hereto.
 - b. All points and places in the San Francisco Bay Area, as described in Appendix B attached hereto, and all intermediate points and off-route points within five miles on either side of the highways set out in paragraph C7 hereof north of Bakersfield.
4. BETWEEN all intermediate points and off-route points within five miles on either side of the highways set out in paragraph C7 hereof north of, and including Bakersfield, on the one hand, and on the other, the San Francisco Bay Area as described in Appendix B attached hereto.

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

5. BETWEEN all intermediate points and off-route points within five miles on either side of the highways set out in paragraph C7 hereof north of Bakersfield.
6. BETWEEN Los Angeles, Vernon, Maywood, Bell, Huntington Park, South Gate and intermediates and Glendale.
7. The highways upon which the intermediate and off-route points referred to in C1(c), C3(b), C4 and C5 hereof are based are the following:
 - a. State Highway 99 between Bakersfield and Manteca;
 - b. State Highway 120 and Interstate Highways 5, 205 and 580 between Manteca and the San Francisco Bay Area;
 - c. State Highway 198 between its junction with State Highway 99 and its junction with State Highway 41 near Lemoore;
 - d. State Highway 41 between its junction with State Highway 198 and Fresno.

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.

Western Gillette, Inc. 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 above, Western Gillette, Inc. 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 5 of Minimum Rate Tariff 4-B.
2. Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine or wethers.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

Appendix C

WESTERN GILLETTE, INC.
(a corporation)

First Revised Page 1
Cancels
Original Page 1

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 northerly and easterly 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 Interstate Highway 15; thence generally southerly and south-westerly along a line paralleling and distant ten miles from Interstate Highway 15 and State Highway 91 to the intersection of said line and a line paralleling and easterly ten miles from State Highway 55; thence in a generally southerly direction to the shoreline of the Pacific Ocean along a line ten miles east of and parallel to State Highway 55 and its prolongation to said shoreline; thence along the shoreline of the Pacific Ocean to the point of beginning.

(END OF APPENDIX C)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

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 shoreline of the Pacific Ocean; thence northerly along the shoreline of the Pacific Ocean to a point due west of the intersection of Interstate Highway 5 and Santa Fe Railway Company south of Del Mar; thence along a straight line in a generally southeasterly direction to the junction of State Highway 67 and the San Diego River near Lakeside; thence due south to the International Boundary between the United States and Mexico; thence westerly along said International Boundary to the point of beginning.

(END OF APPENDIX D)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

SACRAMENTO-DELTA AREA includes all points and places within the following areas:

1. All points and places on and within five miles laterally of State Highway 99 between Sacramento and Stockton, including both Sacramento 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 Interstate Highway 80 near Pinole.
4. All points and places on and within five miles laterally of Interstate Highway 80 between its junction with State Highway 4 near Pinole and the San Francisco Bay Area as described in Appendix B.

(END OF APPENDIX E)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

BAKERSFIELD-STOCKTON AREA includes:

1. All points and places on and within five miles laterally of State Highway 99 between Fresno and Stockton, including all of both of said cities.
2. All points on and within twenty miles laterally of State 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 F)

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 State Line at Stateline.
2. All points within five miles of the shoreline 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 G)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

MOJAVE-BISHOP-TOPAZ LAKE AREA includes the following:

1. All points and places on and within one mile laterally of State Highway 14 and U. S. 395 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, China Lake, and all points on unnumbered highway intermediate between State Highway 14 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 State Highway 182 between Bridgeport and the junction of said highway and the California-Nevada State Line approximately five miles northwest of Masonic.

(END OF APPENDIX H)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

INDIO-BLYTHE AREA includes the following:

1. All points and places on Interstate Highway 10 between Indio and its junction with the California-Arizona State Line near Blythe, California.
2. All points laterally within ten miles of Interstate Highway 10 between its junction with the California-Arizona State Line and a point fifteen miles westerly thereof on said Interstate Highway 10.
3. Eagle Mountain, Midland, Palo Verde, and all points intermediate on and along highways between Interstate Highway 10 and each of said named points.

(END OF APPENDIX I)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

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 State Highway 86 intermediate between Westmoreland and El Centro.
4. All points on and within twenty miles laterally of Interstate Highway 8 between El Centro and the California-Arizona State Line near Winterhaven.

(END OF APPENDIX J)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

Appendix L

WESTERN GILLETTE, INC.
(a corporation)

First Revised Page 1
Cancels
Original Page 1

BAKERSFIELD TERRITORY includes that area embraced by the following and within a radius of five miles of the outer boundaries thereof:

Beginning on State Highway 99 at its junction with the northerly boundary of Kern County; thence south via State Highway 99 to its junction with California State Highway 166; thence westerly along State Highway 166 to its junction with California State Highway 33; thence northerly along State Highway 33 to junction with unnumbered county highway extending in a generally northerly direction to junction with State Highway 46 at Lost Hills; thence along said county highway to Lost Hills; thence easterly along State Highway 46 to junction with an unnumbered county highway approximately seven miles east of Lost Hills which said highway extends in a generally northerly direction; thence along said unnumbered county highway to its junction with the northerly boundary of Kern County; thence east along the northerly boundary of Kern County to point of beginning.

(END OF APPENDIX L)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.

Western Gillette, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to conduct operations as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of petroleum and petroleum products, in bulk, except liquefied petroleum gases and any other petroleum products requiring pressurized tanks and except liquid asphalt and hot road oils and any other petroleum products requiring insulated tanks, along the following routes including all intermediate points, with the right to make lateral departures within a radius of fifty (50) miles of said routes:

1. U. S. Highway 101 and 101 By-Pass between California-Oregon State Line and Los Angeles; Interstate Highway 5 between Los Angeles and California-Mexico Border Line.
2. Interstate Highway 5 between California-Oregon State Line and Sacramento; State Highway 99 between Red Bluff and Wheeler Ridge; Interstate Highway 5 between Wheeler Ridge and Los Angeles; State Highway 60 between Los Angeles and Beaumont; Interstate Highway 10 between Beaumont and Indio; State Highway 86 between Indio and California-Mexico via Calexico.
3. State Highway 299 between Redding and Alturas.
4. U. S. Highway 395 between California-Oregon State Line and the California-Nevada State Line, via Alturas and Johnstonville; State Highway 36 between Junction Interstate Highway 5 and Junction U. S. Highway 395 near Johnstonville.
5. State Highway 20 between Marysville and Junction Interstate Highway 80.
6. Interstate Highway 80 between San Francisco and California-Nevada State Line.

(END OF APPENDIX M)

Issued by California Public Utilities Commission.

Amended by Decision No. 80109, Application No. 52637.