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Decision No. 84310

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of McLAUGHLIN DRAYING CO., a )  
corporation, for an order amend- )  
ing its certificate of public )  
convenience and necessity )  
authorizing highway common car- )  
rier service to except therefrom )  
transportation of newspaper )  
supplements, sections or inserts )  
(not scrap or waste). )

Application No. 55525  
(Filed February 27, 1975)

O P I N I O N

Applicant is a California corporation and a highway common carrier authorized to transport general commodities, subject to certain restrictions, in the San Francisco Territory and between points on certain specified routes pursuant to Decision No. 82276 dated December 18, 1973, in Application No. 54181. Applicant also operates as a radial highway common carrier.

Applicant has requested that its certificate be amended to exclude the transportation of newspaper supplements, sections or inserts (not scrap or waste) so that it may transport such commodities under its permitted authority. Applicant states that shipments of these materials, which are time-dated, require specialized service and that the operation under its certificate does not allow for the necessary flexibility required to handle this type of traffic. Applicant further alleges that it is unable to provide the shipper with volume rates since component parts of a shipment are delivered to points both within and without its certificated area.

A copy of the application was mailed to the California Trucking Association. No protest has been received.

After consideration, the Commission finds that public convenience and necessity no longer require that applicant transport the commodities referred to as a highway common carrier and concludes that the application should be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Appendix A of Decision No. 82276 is amended by incorporating therein First Revised Page 3, attached hereto, in revision of Original Page 3.

2. Within thirty days after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicant shall amend its tariffs presently on file with this Commission to reflect the authority herein granted.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 8<sup>th</sup> day of April, 1975.

Thomas L. Liberman  
President  
William Sproule  
Edward  
Leonard Ron

Commissioners

Commissioner ROBERT BATNOVICH

Present but not participating.

9. Articles of extraordinary value.
10. Explosives.
11. Commodities requiring refrigeration or moving in temperature controlled equipment.
12. Commodities when moving in ocean going containers.
- \*13. Newspaper supplements, sections or inserts (not scrap or waste).

Note A

SAN FRANCISCO TERRITORY

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 Line meets the Pacific Ocean; thence easterly along said County Line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 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 two 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 Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Wiles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13);

Issued by California Public Utilities Commission.

\*Amended by Decision No. 84310, Application No. 55525.