

ORIGINAL

Decision No. 84919

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Same Day Delivery Service,)
a corporation, for authority t)
amend its certificate of public)
convenience and necessity for)
the transportation of general)
commodities with exceptions, as)
a highway common carrier between)
the Los Angeles Basin territory)
and the San Diego territory,)
under the provisions of Sections)
1063-64 of the California Public)
Utilities Code.)

Application No. 43402

In the Matter of the Application)
of Same Day Delivery Service,)
a corporation, to transfer and)
of Auto Fast Freight, Inc., a)
corporation, to acquire a portion)
of the Certificate of Public)
Convenience and Necessity and)
certain property of Same Day)
Delivery Service, Inc.)

Application No. 52718

SUPPLEMENTAL OPINION AND ORDER

Auto Fast Freight, Inc. is presently operating between the Los Angeles Basin Territory and the San Diego Territory and points intermediate thereto as a highway common carrier under authority ostensibly acquired from Same Day Delivery Service.

In Decision No. 63813 dated June 12, 1962 in Application No. 43402, the Commission, after hearing, found that Same Day Delivery Service should be authorized "to provide service between all points in the Los Angeles Basin Territory and the San Diego Territory, via U.S. Highways 101 and 395, serving all immediate points and all points within 10-mile lateral of said highways." The authority described

in Appendix A to Decision No. 63813, it now appears, did not conform to the finding made in the decision in that the certificate limited operations to "between said Los Angeles Basin Territory and said San Diego Territory, on the one hand, and all intermediate points on or within 10 miles laterally of U.S. Highways 101 and 395, on the other hand."

By Decision No. 79093 dated August 31, 1971 in Application No. 52718, the Commission authorized Same Day Delivery Service to transfer the authority in question to Auto Fast Freight, Inc. The latter alleges that its predecessor company operated as a highway common carrier of general commodities between the Los Angeles Basin Territory and the San Diego Territory and points intermediate thereto under color of authority granted in Decision No. 64813 and that Auto Fast Freight, Inc. filed Application No. 52718 believing that Same Day Delivery Service had the authority to serve such points. Exhibit "D" to Exhibit "A" in Application No. 52718 supports Auto Fast Freight, Inc.'s latter contention in that Paragraph a thereof sought transfer of authority to serve "between all points and places in the Los Angeles Basin Territory, as described in Exhibit 'A', Page 5 on the one hand, and on the other hand, all points and places in the San Diego Territory, as described in Exhibit 'A', Page 6, serving all intermediate points on or within ten (10) miles laterally of U.S. Highways 101 and 395."

We are of the opinion that Appendix A to Decision No. 63813 should be revised to correct the record which had been made, so that it will truly record the action really held, but which through some inadvertance had not been truly recorded. Inasmuch as the authority in question has now been transferred, we will correct the record by amending the certificate presently held by Auto Fast Freight, Inc.


The Commission finds that the necessary changes should be made by the order herein. A public hearing is not necessary. The


Commission concludes that Decision No. 75093 should be amended accordingly.

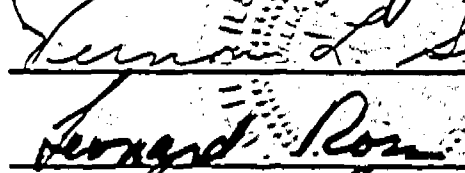
IT IS ORDERED that Decision No. 79093 is hereby amended by substituting the attached First Revised Page 1 of Appendix A in the place and stead of the Original page 1 of Appendix A.

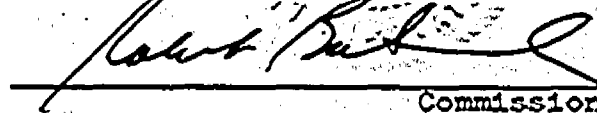
The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day of September, 1975.



President


Vernon L. Sturgeon


Bernard R. ...


Commissioners

Auto Fast Freight, Inc., a corporation, by the certificate of public convenience and necessity granted in 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 general commodities as follows:

1. Between all points and places within the Los Angeles Basin Territory as described in Appendix B attached hereto.
2. Between all points and places within the San Diego Territory as described in Appendix C attached hereto.
3. Between said Los Angeles Basin Territory and said San Diego Territory, and all intermediate points on or within ten miles laterally of U.S. Highways 101 and 395.
4. Between said Los Angeles Basin Territory, on the one hand, and, on the other, Crestline, Lake Arrowhead and Big Bear Lake and intermediate and off-route points within three miles laterally of the highways involved on routes as herein after described, subject to the following condition and restriction:

When operating over the alternate route via Victorville and Lucerne Valley applicant shall not render service to nor from any point intermediate to Lucerne Valley and its terminus in the City of San Bernardino.

(a) San Bernardino-Lake Arrowhead:

Between San Bernardino and Lake Arrowhead, in the County of San Bernardino, State of California, over State Highway 18. Intermediate points served include Arrowhead Springs Hotel, Old Waterman Canyon Road, Crestline, Cedar Pines Park, Camp Seeley, Lake Gregory, Club San Moritz, Arrowhead Highlands, Pinecrest, Twin Peaks, Alpine, Alpine Club, Blue Jay, Lake Arrowhead Village, Cedar Glenn, Lake Brook Park, Arrowhead Manor, Los Angeles Boy Scout Camp, and North Shore Lake Arrowhead.

Issued by California Public Utilities Commission.

* Amended by Decision No. 84919, Application No. 52718.