

Decision No. 85317

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of: NIELSEN FREIGHT LINES )  
a California corporation, and )  
WILLIG FREIGHT LINES, a California corporation, to transfer )  
a portion of the certificate of public convenience and )  
necessity of Willig to Nielsen )  
and for the issuance of proposed in lieu certificates of )  
public convenience and necessity to Nielsen Freight Lines )  
and to Willig Freight Lines. )

Application No. 55946  
(Filed September 19, 1975)

O P I N I O N

Willig Freight Lines, a California corporation, requests authority to sell and transfer, and Nielsen Freight Lines, a California corporation, requests authority to purchase and acquire a portion of a certificate of public convenience and necessity. Additionally, Willig Freight Lines requests authority, if necessary under Section 851 of the Public Utilities Code, for the sale and transfer of certain operating and personal property to Norman J. Nielsen.

The certificate held by Willig Freight Lines was granted by Decision No. 81094, dated February 23, 1973 in Application No. 53457, as amended by Decision No. 81528, dated June 26, 1973, in Application No. 53457 and was registered with the Interstate Commerce Commission in Docket No. MC 48632 (Sub 15). The certificate authorizes transportation of general commodities with the usual exclusions between most of the major cities and metropolitan areas and numerous intermediate points over many of the principal highways in this State. The carrier also holds a certificate of public convenience and necessity issued by the Interstate Commerce Commission in Docket

No. MC 48632 and MC 48632 (Sub 6).

The certificate held by Nielsen Freight Lines was issued in Decision No. 83456, dated October 8, 1974 in Application No. 54586, registered with the Interstate Commerce Commission in Docket No. MC-73903 (Sub 13), and authorizes transportation of general commodities, with certain exclusions, between points in the San Francisco Bay Area and north thereof to the Eureka-Arcata-Crescent City area.

The portion of Willig Freight Lines certificate to be sold and transferred includes authority for the transportation of general commodities with the usual exclusions over certain routes and within a certain territory bounded by Santa Rosa on the south, U.S. Highway 101 on the east, Willits and Rockport on the north and the Pacific Ocean on the west.

Pursuant to the Purchase and Sale Agreement of Motor Carrier Operating Authority entered into by the applicants on August 1, 1975, the purchase price for the operating rights is \$30,000 of which half is for the intrastate certificate and the balance is for the interstate rights. Payment will be made within sixty days after final state and federal administrative approval of the sale and transfer with \$15,000 in cash and \$15,000, secured by a promissory note, to be paid in one year from date of closing with interest at one percent per annum higher than the prime rate established by a lending institution, subject to a maximum rate of ten percent.

No encumbrance of the certificate or the purchaser's operating property is created by the agreement or promissory note and none is authorized herein.

Willig Freight Lines also proposes to sell to Norman J. Nielsen, doing business as Nielsen Terminal Co., certain real property with terminal facilities located at Fort Bragg,

personal property consisting of office and shop equipment and a fork lift vehicle. This sale is contingent upon, among other things, administrative approval of the sale and transfer of the operating rights proposed in the application. The purchaser will, in turn lease such property to Nielsen Freight Lines for use in its highway common carrier operations. It is alleged that such property will not be required or useful in the performance of the sellers' duty to the public as a highway common carrier and the sale is therefore not subject to the Commission's approval under Section 851 of the Public Utilities Code. Conversely, the applicant requests such approval if the sale is found to be within the provisions of the statute.

The applicants allege that no other motor carrier's interest will be affected by the proposed transfer. They request relief from Rule 37 of the Commission's Rules of Practice and Procedure, which requires wide dissemination of the application, on the basis of Rule 87 thereof which permits such relief to secure just, speedy and inexpensive determination of the issues.

Notice of the filing of the application was made in the Commission's Daily Calendar of September 22, 1975 and the applicants allegedly will submit the proposed transaction to the Interstate Commerce Commission for its approval under Section 5 of the Interstate Commerce Act.

After consideration, the Commission finds:

1. The requested deviation from Rule 37 of the Rules of Practice and Procedure should be authorized.
2. The proposed sale and transfer of the operating authority referred to in the application would not be adverse to the public interest.

3. As a result of such transfer, the property proposed to be sold to Norman J. Nielsen, doing business as Nielsen Terminal Co., will no longer be necessary or useful in the performance of Willig Freight Lines' duty to the public.

The Commission concludes:

1. Upon consummation of the sale and transfer of the operating rights referred to in the application to Nielsen Freight Lines, the Commission's authorization will not be required for sale of the property proposed to be sold to Norman J. Nielsen.
2. The proposed transfer would not be adverse to the public interest and the application should be granted as set forth in the ensuing order.

A public hearing is not necessary. The operating rights will be restated in a new certificate which will not broaden or change the interstate or foreign commerce rights held by the carriers. The order which follows will provide for, in the event the transfer is completed, the revocation of the certificates presently held by Willig Freight Lines and Nielsen Freight Lines and the issuance of in lieu certificates in appendix form to such carriers.

Applicants are 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.

The authorization granted shall not be construed as a finding of value of the rights authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. Upon approval of the transaction by the Interstate Commerce Commission and concurrent with the effective date thereof, Willig Freight Lines may transfer the operative rights referred to in the application to Nielsen Freight Lines.

2. Within thirty days after the transfer the purchaser shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer.

3. Applicants shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the authority granted by this decision to show that they have adopted or established, as their own, the rates and rules. The tariff filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the transfer. The tariff filings shall comply with the Commission's General Order No. 80-Series. Failure to comply with the provisions of General Order No. 80-Series may result in a cancellation of the operating authority granted by this decision.

4. In the event the transfer authorized in paragraph 1 is completed, effective concurrently with the effective date of the tariff filings required by paragraph 3, certificates of public convenience and necessity are granted to Willig Freight Lines, a

corporation, and Nielsen Freight Lines, a corporation, authorizing them to operate as highway common carriers, as defined in Section 213 of the Public Utilities Code, between the points and over the route set forth in Appendices A and B attached hereto and made a part hereof.

5. The certificates of public convenience and necessity granted by Decision No. 81094, as amended, Decision No. 81528, and Decision No. 83456 are revoked effective concurrently with the effective date of the tariff filings required by paragraph 3.

6. Purchaser shall comply with the safety rules of the California Highway Patrol and the insurance requirements of the Commission's General Order No. 100-Series.

7. Purchaser 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.

8. Purchaser shall comply with the requirements of the Commission's General Order No. 84-Series for the transportation of collect on delivery shipments. If purchaser elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.


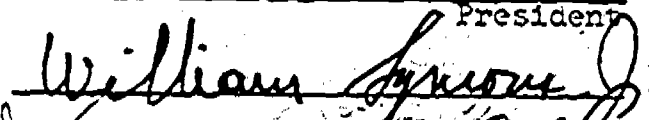


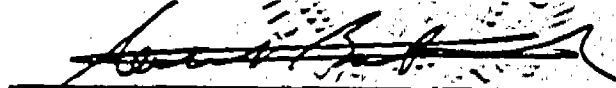
9. The applicants are granted a deviation from Rule 37 of the Commission's Rules of Practice and Procedure to the extent requested in the application.

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The effective date of this order is the date hereof.

Dated at San Francisco, California, this 6th  
day of January, 1976.

I abstain  
Patent Council  
Commissioners

  
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President  
  
  
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Commissioners

Willig Freight Lines, a California 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:

- (A) From, to and between all points and places on the following routes:
- (1) U. S. Highway 101 from Cloverdale to San Francisco inclusive;
  - (2) Dutcher Creek Road from its intersection with U. S. Highway 101 near Cloverdale to its intersection with Dry Creek Road and Stewarts Point-Skaggs Spring Road, inclusive;
  - (3) Dry Creek Road from its intersection with Dutcher Creek Road to its intersection with U. S. Highway 101 near Healdsburg, inclusive;
  - (4) State Highway 116 from Forestville to its intersection with U. S. Highway 101 near Cotati, inclusive;
  - (5) River Road from its intersection with Westside Road to its intersection with U. S. Highway 101 near Fulton, inclusive.
  - (6) Ross Station Road from its intersection with State Highway 116 to its intersection with Ross Road, inclusive;
  - (7) Ross Road from its intersection with Ross Station Road to Graton, inclusive;
  - (8) Graton Road from Graton to its intersection with State Highway 116, inclusive;
  - (9) Westside Road from its intersection with River Road near Hacienda, to its intersection with U. S. Highway 101 at Healdsburg, inclusive;

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- (10) Mirabel Road from its intersection with State Highway 116 to its intersection with River Road, inclusive;
- (11) Guerneville Road from its intersection with State Highway 116 to its intersection with U. S. Highway 101 near Santa Rosa, inclusive;
- (12) State Highway 12 from Sebastopol to Santa Rosa, inclusive;
- (13) State Highway 116 from its intersection with U. S. Highway 101 to its intersection with State Highway 121, inclusive;
- (14) State Highway 37 from its intersection with U. S. Highway 101 to its intersection with State Highway 121, inclusive;
- (15) State Highway 121 from its intersection with State Highway 37 to its intersection with State Highway 12 near Schellville, inclusive;
- (16) State Highway 1 from its intersection with State Highway 116 to San Francisco. State Highway 1 includes the road sometimes called Valley Ford Cutoff from its intersection with Bodega Highway to its intersection with Valley Ford-Freestone Road.
- (17) Bodega Highway from its intersection with State Highway 1 to Sebastopol;
- (18) Bloomfield Road from its intersection with Petaluma-Valley Ford Road to its intersection with State Highway 116, inclusive;
- (19) Petaluma-Valley Ford Road from its intersection with State Highway 1 to its intersection with Tomales Road and Bodega Avenue, inclusive;
- (20) Bodega Avenue from its intersection with Petaluma-Valley Ford Road and Tomales Road to Petaluma.

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- (21) Tomales Road from its intersection with Petaluma-Valley Ford Road and Bodega Avenue to its intersection with Tomales Petaluma Road and Chileno Valley Road, inclusive;
  - (22) Petaluma Pt. Reyes Road from its intersection with State Highway 1, continuing along said road and becoming "D" Street Extension and then "D" Street to its intersection with Petaluma Boulevard.
  - (23) Novato Boulevard from its intersection with Petaluma Point Reyes Road to Novato, inclusive;
  - (24) Sir Francis Drake Boulevard from its beginning at the Pacific Ocean (Point Reyes Light Station) to its intersection with State Highway 17.
  - (25) Dillon Beach Road from its intersection with State Highway 1 to Dillon Beach, inclusive;
  - (26) Olema Bolinas Road from its intersection with State Highway 1 to Bolinas, inclusive.
- (B) Also serving the off route points as follows:
- (1) In Sonoma County
    - (a) Graton
    - (b) Asti
    - (c) Rohnert Park
    - (d) Cotati
    - (e) U. C. Bodega Marine Laboratory
  - (2) In Marin County
    - (a) China Camp
    - (b) R.C.A. Receiving Station
    - (c) American Telephone and Telegraph Receiving Station
    - (d) U. S. Coast Guard Receiving Station
    - (e) R.C.A. Transmitting Station
    - (f) Drakes Beach
    - (g) Mill Valley Air Force Station

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- (C) On or laterally within 25 miles of the following named highways:
- (1) State Highway 1 between San Francisco and Carmel, inclusive;
  - (2) U. S. Highway 101 between San Francisco and the Los Angeles Basin Territory, hereinafter described in Note B hereof, inclusive;
  - (3) State Highway 99 between Yuba City and Los Angeles Basin Territory inclusive, except for that portion of State Highway 99 between Wheeler Ridge and Castaic, there shall be no lateral;
  - (4) Interstate Highway 15 between San Bernardino and San Diego, inclusive.
- (D) On or laterally within 20 miles of the following named highway:
- (1) State Highway 65 between Roseville and Marysville, inclusive.
- (E) On or laterally within 10 miles of the following named highways:
- (1) Interstate Highway 5 between Sacramento and Los Angeles Basin Territory inclusive, except for that portion of Interstate Highway 5 between Wheeler Ridge and Castaic, there shall be no lateral;
  - (2) Interstate Highway 80 between San Francisco and Sacramento, inclusive;
  - (3) State Highway 4 between the intersection with Interstate Highway 80 and Stockton, inclusive;
  - (4) State Highway 126 between the intersection with U. S. Highway 101 at Ventura and Interstate Highway 5 near Castaic;

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- (5) State Highway 150 between Santa Barbara and the intersection with State Highway 126 near Santa Paula;
  - (6) State Highway 24 between Oakland and the intersection of State Highway 24 with State Highway 4;
  - (7) State Highway 160 between its intersection with State Highway 4, approximately 4 miles east of Antioch, and Sacramento, inclusive.
- (F) On or laterally within 5 miles of the following named highways:
- (1) State Highway 128 between Geyserville and Rutherford, inclusive;
  - (2) State Highway 29 between Rutherford and Napa, inclusive;
  - (3) Interstate Highways 80, 580, and 205 and State Highway 120 between San Francisco and State Highway 99;
  - (4) Interstate Highway 80, State Highways 17 and 238, Interstate Highways 580 and 205 and State Highway 120 between San Francisco and State Highway 99;
  - (5) State Highway 150 from its intersection with U. S. Highway 101 at Buellton to Lompoc, inclusive.
- (G) On or laterally within 3 miles of the following named highways:
- (1) State Highway 12 between Santa Rosa and Schellville;
  - (2) State Highway 37 from its intersection with U. S. Highway 101 to its intersection with Interstate Highway 80, inclusive;
  - (3) State Highway 121 from its intersection with State Highway 37 to its intersection with State Highway 12 near Schellville, inclusive;
  - (4) Interstate Highway 5 between Los Angeles Basin Territory and San Ysidro, inclusive.

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(H) On the following roads and highways:

- (1) State Highway 33 from its intersection with Interstate Highway 205 near Tracy to its intersection with State Highway 152 near Los Banos;
- (2) State Highway 152 from Los Banos to its intersection with State Highway 99 near Califa;
- (3) State Highway 33 from its intersection with State Highway 152 near Dos Palos to and including Coalinga;
- (4) State Highway 198 from its intersection with State Highway 33 to its intersection with State Highway 99.

(I) Within the San Francisco Territory as described in Note A, hereof.

(J) Within the Los Angeles Basin Territory as described in Note B, hereof.

(K) Within the territory called "Willig Freight Lines Territory" as described in Note C, hereof.

In performing the service herein authorized, carrier may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.

Except that pursuant to the authority herein granted carrier shall not transport any shipments of:

1. Used household goods, personal effects and office, store and institution furniture, fixtures and equipment not packed in salesmen's hand sample cases, suitcases, overnight or boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting).

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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. 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.
4. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
5. Articles of extraordinary value.
6. Beer originating at San Francisco and empty beer containers destined to San Francisco.
7. Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicle.

## 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

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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 Niles 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); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the Campus Boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning.

## NOTE B

## LOS ANGELES BASIN TERRITORY

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 118, approximately two miles west of Chatsworth; easterly along State Highway 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 of the

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City of San Fernando to MacLay Avenue; northeasterly along MacLay 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 Mill Creek Road (State Highway 38); westerly along Mill Creek Road to Bryant Street; southerly along Bryant Street to and including the unincorporated community of Yucaipa; westerly along Yucaipa Boulevard to Interstate Highway 10; northwesterly along Interstate Highway 10 to Redlands Boulevard; northwesterly along Redlands Boulevard to Barton Road; westerly along Barton Road to La Cadena Drive; southerly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to State Highway 60; southeasterly along State Highway 60 and U.S. Highway 395 to Nuevo Road; easterly along Nuevo Road via Nuevo and Lakeview to State Highway 79; southerly along State Highway 79 to State Highway 74; thence westerly to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to The Atchison, Topeka & Santa Fe right-of-way; southerly along said right-of-way to Washington Road; southerly along Washington Road through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to Winchester Road (State Highway 79) to Jefferson Avenue; southerly along Jefferson Avenue to U.S. Highway 395; southerly along U.S. Highway 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 shoreline of the Pacific Ocean to point of beginning, including the point of March Air Force Base.

## NOTE C

## WILLIG FREIGHT LINES TERRITORY

The Willig Freight Lines Territory described herein includes all that area embraced by the following boundary: Beginning at the point where the Russian River joins the Pacific Ocean; thence southeasterly along the southern bank of the Russian River to the thence southeasterly along the Bohemian Highway to its intersection with Graton Road; thence northeasterly along Graton Road to its intersection with Ross Road; thence northwesterly along Ross Road to its intersection with Ross Station Road; thence northeasterly along Ross Station Road to its intersection with California State Highway 116; thence northwesterly along California State Highway 116 to its intersection with Mirabel Road; thence northerly along Mirabel Road to its intersection with River Road; thence northwesterly along River Road to its junction with Westside Road thence

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easterly and northerly along Westside Road to its intersection with Kinley Drive; thence northerly along Kinley Drive to its intersection with Dry Creek Road; thence northwesterly along Dry Creek Road to its intersection with Dutcher Creek Road; thence northerly along Dutcher Creek Road to its intersection with U. S. Highway 101; thence northerly along U. S. Highway 101 to Cloverdale; thence easterly along Crocker Road to its intersection with River Road; thence southerly along River Road to its intersection with Washington School Road; thence southerly along Washington School Road to its intersection with Old Redwood Highway; thence southeasterly along Old Redwood Highway to its intersection with California State Highway 128; thence southeasterly along California State Highway 128 to its intersection with Geysers Road; thence northeasterly along Geysers Road to its intersection with Red Winery Road; thence southeasterly along Red Winery Road to its intersection with Pine Flat Road; thence southwesterly along Pine Flat Road to its intersection with California State Highway 128; thence southeasterly along California State Highway 128 to its intersection with Chalk Hill Road; thence southerly along Chalk Hill Road to its intersection with Faught Road; thence southerly along Faught Road to its intersection with Old Redwood Highway; thence southerly along Old Redwood Highway to its intersection with Mark West Springs Road; thence easterly along Mark West Springs Road to its intersection with Riebli Road; thence easterly along Riebli Road to its intersection with Wallace Road; thence southerly along Wallace Road to its intersection with Badger Road; thence easterly along Badger Road to its intersection with Baird Road; thence northerly along Baird Road and easterly along Harville Road to its intersection with Calistoga Road; thence southerly along Calistoga Road to its intersection with California State Highway 12; thence southeasterly along California State Highway 12 to its intersection with California State Highway 121; thence westerly and southerly along California State Highway 121 to its intersection with California State Highway 37; thence southerly along an imaginary line on the most direct route to the intersection of such imaginary line with San Pablo Bay; thence along the shoreline of San Pablo Bay in a southerly and westerly direction to the Golden Gate Bridge; thence along the shoreline of the Pacific Ocean from the Golden Gate Bridge to the point of beginning.

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Serving all points and places on all roads, streets and highways located within the boundaries of this territory and also serving all points and places along all roads, streets and highways named as boundary lines of this territory except no service shall be provided to any points and places along the following roads, streets and highways:

Bohemian Highway from its intersection with the Russian River to its intersection with Graton Road, and Graton Road from its intersection with Bohmeian Highway to its intersection with Ross Road.

(END OF APPENDIX A)

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Nielsen Freight Lines, a California 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:

I. General Commodities, subject to the exclusions specifically noted.

A. Between all points and places inclusive, on and within 10 miles laterally of the following routes (subject to commodity restrictions 1 through 9 and 15):

1. U. S. Highway 199 between its junction with U. S. Highway 101 and the California-Oregon State Line.
2. U. S. Highway 101 between the California-Oregon State Line and Crescent City.
3. State Highway 116 between Forestville and Graton.
4. Unnumbered highway (Deer Park-Howell Mountain Road) between its junction with State Highways 29/128, northwest of St. Helena, and Angwin.
5. State Highway 128 between Geyserville and Calistoga.
6. State Highways 175 and 29 between Hopland and Middletown, via Kelseyville and Cobb.
7. State Highway 29 between Upper Lake and Calistoga.
8. State Highway 20 between its junction with U. S. Highway 101 at Calpella, and its junction with State Highway 53 north of Clearlake Highlands.

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9. State Highway 53 between its junction with State Highway 20 and Lower Lake.
- B. Between points and places in the San Francisco-East Bay Cartage Zone, as described in Note A, via any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.
- C. Between points and places located on or within three miles of the following routes:
  1. Between Novato and Willits via U. S. Highway 101, serving the off-route points of West Windsor and Talmadge.
  2. Between Ignacio Junction and Santa Rosa via State Highways 37, 121 and 12.
  3. Between Schellville and the Sonoma-Napa County Line via State Highways 12/121.
  4. Between Schellville and Kenwood via unnumbered county highway through El Verano and Glen Ellen.
  5. Between Petaluma and Sonoma via State Highway 116, unnumbered county road and State Highway 12.
  6. Between Sonoma and State Highways 12/121 via unnumbered county highways through Vineburg.
  7. Between U. S. Highway 101 and Vallejo via State Highway 37.
- D. Between points and places in the San Francisco-East Bay Cartage Zone, on the one hand, and points and places described in paragraph C hereof, on the other hand, via the following routes:
  1. U. S. Highway 101 between the San Francisco-East Bay Cartage Zone, and Novato.

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2. Between Richmond and San Rafael via the Richmond-San Rafael Bridge.
  3. Between Richmond and the junction of State Highway 37 with Interstate Highway 80 via Interstate Highway 80, or between Richmond and the junction of State Highway 29 with Interstate Highway 80 via Interstate Highway 80, thence via State Highway 29 to its junction with State Highway 37, thence via State Highway 37 to its junction with State Highway 121 at Sears Point.
  4. Between State Highway 29 and Interstate Highway 80 via State Highway 37.
  5. Via all routes described in paragraphs B and C hereof.
- E. Between all points on the following routes:
1. U. S. Highway 101 between San Francisco and Novato, including the off-route points of Mill Valley, Corte Madera, Larkspur, Kentfield, Ross, San Anselmo, Fairfax, Sausalito, Belvedere, Tiburon, San Quentin, McNears Beach, China Camp, Santa Venetia, Hamilton Field and points intermediate thereto.
  2. State Highways 12 and 121 between Schellville and Napa, inclusive.
  3. State Highways 37 and 29 between Sears Point and Napa, including Napa State Hospital.
  4. Interstate Highway 80 and State Highway 29 between Richmond and Vallejo, inclusive.
- F. Between points and places in Napa, Sonoma and Mendocino counties as follows:
1. All points on State Highway 12 between Sebastopol and Santa Rosa.

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2. All points on State Highway 116 between Graton and Cotati via Cunningham.
3. All points on State Highway 29 between Napa and Calistoga.
4. All points on unnumbered highways between Calistoga and Santa Rosa.
5. From Petaluma to Two Rock via unnumbered highways.
6. All points on State Highway 1 from Rockport to its intersection with State Highway 116, inclusive.
7. All points on State Highway 128 from its beginning with State Highway 1 near Albion to its ending with U. S. Highway 101 north of Cloverdale, inclusive.
8. All points on U. S. Highway 101 from its intersection with State Highway 128 to Cloverdale.
9. All points on State Highway 20 from its intersection with State Highway 1 to, but not including, Willits, inclusive.
10. All points on State Highway 116 from its intersection with State Highway 1 near Jenner to Forestville.
11. All points on River Road from Guerneville to its intersection with Westside Road, inclusive.
12. All points on Bohemian Highway from its intersection with State Highway 116 to Occidental, inclusive.
13. All points on Graton Road from its intersection with Bohemian Highway to Graton.
14. Serving the off-route points as follows:
  - (1) In Sonoma County

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- (a) Bohemian Grove
    - (b) Occidental
  - (2) In Mendocino County
    - (a) Leggett Valley
    - (b) Point Arena Light Station
  - (3) The off-route point of the Geysers located approximately 20 miles east of Cloverdale via the Cloverdale-Geysers Road and the Healdsburg-Geysers Road.
15. Serving all points and places within the territory called "Nielsen Freight Lines Territory" as described in Note C hereof.

- G. Between San Mateo and San Jose and intermediate points on U. S. Highway 101 and State Highway 82; between Hayward and San Jose and intermediate points on State Highways 17 and 238 (Mission Boulevard); and between all points laterally within 5 miles of said highways, via said highways and all connecting routes.

The authority described in paragraphs B, C, D, E, F and G is subject to commodity Exclusions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 11.

- H. Between all points and places on and within five miles laterally of the following routes (subject to commodity Exclusions 1 through 12, 13, and 14):
- 1. U. S. Highway 101 between Scotia and Trinidad, inclusive.
  - 2. State Highway 299 between the junction of said highway with U. S. Highway 101 and Burnt Ranch, inclusive.
  - 3. State Highway 96 between Willow Creek and Hoopa, inclusive.

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4. Rohnerville Road between Fortuna and Hydesville, inclusive, via Rohnerville.
  5. State Highway 36 between Hydesville and Carlotta, inclusive.
- I. Between all points and places located on and within ten miles laterally of U. S. Highway 101 between Crescent City and Laytonville, inclusive, and between said points and places on the one hand and the San Francisco Territory, as described in Note B, on the other hand, subject to the following:
1. Nielsen Freight Lines is authorized to operate over the following route for operating convenience only:  
  
Interstate Highway 80, State Highway 17 connecting with Richmond-San Rafael Bridge, to its connection with U. S. Highway 101.
  2. Nielsen Freight Lines shall not serve the following points and areas:  
  
All points on State Highway 36 east of Carlotta, and all points on county roads from junction of State Highway 36 and county road near Bridgeville to Fort Seward, Alderpoint and Zenia.
  3. Commodity Exclusions 1, 3, 4, 7, 9 and 15.
- II. Dormant nursery stock, potted plants and cut flowers between McKinleyville and Eureka and points within three miles of Eureka, on the one hand, and, on the other hand, Santa Rosa and San Jose and intermediate points via Napa, Vallejo, Oakland, Hayward, Petaluma and San Francisco. To perform the transportation herein authorized, Nielsen Freight Lines shall conduct operations over and along the following routes:
1. U. S. Highway 101 between McKinleyville and San Jose.
  2. State Highway 82 between San Francisco and San Jose.
  3. State Highway 12 between Santa Rosa and Napa.

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4. State Highway 29 between Napa and Vallejo.
5. Interstate Highway 80 between Vallejo and Oakland.
6. State Highways 17 and 238 (Mission Boulevard) between Oakland and San Jose.
7. Interstate Highway 80 between Oakland and San Francisco.
8. State Highway 92 between Hayward and San Mateo (San Mateo-Hayward Toll Bridge).

III. Mechanical duplications and overlaps which occur in describing the operating authority granted herein shall not be construed as conferring more than one operating right to transport the same commodities between the same points.

Except that where specifically noted and pursuant to the authority herein granted, carrier shall not transport any shipments of:

1. Used household goods, personal effects and office, store and institution furniture, fixtures and equipment not packed in salesmen's hand sample cases, suitcases, overnight or boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting).
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.

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3. 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.
4. 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.
5. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicle.
8. Logs.
9. Articles of extraordinary value.
10. Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper.
11. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
12. Explosives subject to U. S. Department of Transportation Regulations governing the Transportation of Hazardous Materials.
13. Commodities requiring special equipment on handling because of unusual size, weight or shape.

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14. Commodities injurious or contaminating to other lading.
15. Wood Chips in bulk.
16. Tractors and Farm Tractors.

In performing the service herein authorized, carrier may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.

## NOTE A

## SAN FRANCISCO-EAST BAY CARTAGE ZONE

The San Francisco-East Bay Cartage Zone includes the area embraced by the following boundary: Beginning at the point where the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to Lake Merced Boulevard; thence southerly along said Lake Merced Boulevard to South Mayfair Avenue; thence westerly along said South Mayfair Avenue to Crestwood Drive; thence southerly along Crestwood Drive to Southgate Avenue; thence westerly along Southgate Avenue to Maddux Drive; thence southerly and easterly along Maddux Drive to a point one mile west of State Highway 82; thence southeasterly along an imaginary line one mile west of and paralleling State Highway 82 (El Camino Real) to its intersection with the southerly boundary line of the City of San Mateo; thence along said boundary line to U.S. Highway 101 (Bayshore Freeway); thence leaving said boundary line proceeding to the junction of Foster City Boulevard and Beach Park Road; thence northerly and easterly along Beach Park Road to a point one mile south of State Highway 92; thence easterly along an imaginary line one mile southerly and paralleling State Highway 92 to its intersection with State Highway 17 (Nimitz Freeway); thence continuing northeasterly along an imaginary line one mile southerly of and paralleling State Highway 92 to its intersection with an imaginary line one mile easterly of and paralleling State Highway 238; thence northerly along said imaginary line one mile easterly of and paralleling State Highway 238 to its intersection with "B" Street, Hayward; thence easterly and northerly along "B" Street to Center Street; thence northerly along Center Street to Castro Valley Boulevard; thence westerly along Castro Valley Boulevard to Redwood Road; thence northerly

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along Redwood Road to Somerset Avenue; thence westerly along Somerset Avenue and 168th Street to Foothill Boulevard; thence northwesterly along Foothill Boulevard to the southerly boundary line of the City of Oakland; thence easterly and northerly along the Oakland Boundary Line to its intersection with the Alameda-Contra Costa County Boundary Line; thence northwesterly along said County Line to its intersection with Arlington Avenue (Berkeley); thence northwesterly along Arlington Avenue to a point one mile northeasterly of San Pablo Avenue (State Highway 123); thence northwesterly along an imaginary line one mile easterly of and paralleling San Pablo Avenue to its intersection with County Road 20 (Contra Costa County); thence westerly along County Road 20 to Broadway Avenue; thence northerly along Broadway Avenue to San Pablo Avenue (State Highway 123) to Rivers Street; thence westerly along Rivers Street to 11th Street; thence northerly along 11th Street to Johns Avenue; thence westerly along Johns Avenue to Collins Avenue; thence northerly along Collins Avenue to Morton Avenue; thence westerly along Morton Avenue to the Southern Pacific Company right-of-way and continuing westerly along the prolongation of Morton Avenue to the shoreline of San Pablo Bay; thence southerly and westerly along the shoreline and waterfront of San Pablo Bay to Point San Pablo; thence southerly along an imaginary line to the San Francisco waterfront at the foot of Market Street; thence westerly along said waterfront and shoreline to the Pacific Ocean; thence southerly along the shoreline of the Pacific Ocean to point of beginning.

## NOTE B

## 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

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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 Niles 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); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the Campus Boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning.

## NOTE C

## NIELSEN FREIGHT LINES TERRITORY

The Nielsen Freight Lines Territory includes all that area embraced by the following boundary: Beginning at Rockport, California located on State Highway 1; thence westerly along an imaginary line on the most direct route to the Pacific Ocean; thence southerly along the shoreline of the Pacific Ocean to the Russian River; thence easterly along an imaginary line on the most direct route to State Highway 1; thence southeasterly along State Highway 1 to its intersection with State Highway 116; thence easterly along State Highway 116 to its intersection with Bohemian Highway; thence southeasterly along Bohemian Highway to its intersection

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with Graton Road; thence northeasterly along Graton Road to its intersection with Ross Road, but not including service to Graton; thence northwesterly along Ross Road to its intersection with Ross Station Road; thence northeasterly along Ross Station Road to its intersection with State Highway 116; thence northwesterly along State Highway 116 to its intersection with Mirabel Road; thence northerly along Mirabel Road to its intersection with River Road; thence northwesterly along River Road to its intersection with Westside Road; thence easterly and northerly along Westside Road to its intersection with Kinley Drive; thence northerly along Kinley Drive to its intersection with Dry Creek Road; thence northwesterly along Dry Creek Road to its intersection with Dutcher Creek Road; thence northerly along Dutcher Creek Road to its intersection with U. S. Highway 101; thence northerly along U. S. Highway 101 to its intersection with State Highway 128, but not including service to Cloverdale, California; thence northerly along an imaginary line at all times 25 miles east of State Highway 1 to its intersection with State Highway 20; thence westerly along California State Highway 20 to its intersection with an imaginary point 10 miles east of State Highway 1; thence northerly along an imaginary line at all times 10 miles east of State Highway 1 to an imaginary point 10 miles east of Rockport; thence westerly along an imaginary line on the most direct route to the point of beginning.

Serving all points and places on all roads, streets, and highways located within the boundaries of this territory and also serving all points and places along all roads named as boundary lines of this territory except no service shall be provided to any points and places along the following roads:

Ross Road from its intersection with Graton Road to its intersection with Ross Station Road; Ross Station Road from its intersection with Ross Road to its intersection with State Highway 116; State Highway 116 from its intersection with Ross Station Road to its intersection with Mirabel Road; Mirabel Road from its intersection with State Highway 116 to its intersection with River Road; River Road from its intersection with Mirabel Road to its intersection with Westside Road; Westside Road from its intersection with River

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Road to its intersection with Kinley Drive; Kinley Drive from its intersection with Westside Road to its intersection with Dry Creek Road; Dry Creek Road from its intersection with Kinley Drive to its intersection with Dutcher Creek Road; Dutcher Creek Road from its intersection with Dry Creek Road to its intersection with U. S. Highway 101; U. S. Highway 101 from its intersection with Dutcher Creek Road to, and including, Cloverdale.

(END OF APPENDIX B)

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