

Decision No. 85802

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of WARN BROS., INC. doing busi-)
 ness as CRESCENT TRUCK LINES, a)
 California corporation, for)
 authority to acquire the highway)
 common carrier certificate of)
 GOLDEN WEST FREIGHT LINES, a)
 California corporation, its)
 equipment subject to the assump-)
 tion of the equipment obliga-)
 tions, and goodwill; and for)
 approval of the security agree-)
 ment executed by Golden West)
 Freight Lines in favor of)
 Crescent Truck Lines.)

Application No. 56114
 (Filed December 8, 1975)

F I N A L O P I N I O N

Decision 85366, dated January 20, 1976, in this proceeding, authorized Warn Bros., Inc., a California corporation, to acquire a certificate of public convenience and necessity granted by this Commission to Golden West Freight Lines, a California corporation. That decision also provided that the Commission would, by subsequent order, issue an in lieu certificate, in appendix form, to Warn Bros., Inc., reflecting the consolidation of its prior and newly-acquired certificates.

The restatement of the operating authorities herein neither broadens nor lessens the scope of the separate operating authorities heretofore granted. The effective date of this order should be the date on which it is signed since there is no reason to delay the disposition of this matter.

F I N A L O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Warn Bros., Inc., a California corporation,

authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, between the points within the area and over the routes as specifically set forth in Appendix A of this decision.

2. In providing service pursuant to the authority granted by this order, Warn Bros., Inc., shall comply with the following service regulations. Failure to do so may result in cancellation of the authority:

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Warn Bros., Inc., is placed on notice that if it accepts the certificate it will be required, among other things, to comply with the safety rules administered by the California Highway Patrol and the insurance requirements of the Commissions's General Order 100-Series.
- (b) Within one hundred twenty days after the effective date of this order, Warn Bros., Inc., shall establish the authorized service and cancel, amend or refile tariffs, in triplicate, in the Commission's office, pursuant to the certificate granted by this decision.
- (c) 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 establishment of the authorized service.
- (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 80-Series.
- (e) Warn Bros., Inc., 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.

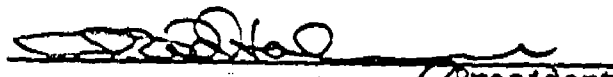
- (f) Warn Bros., Inc., shall comply with the requirements of the Commission's General Order 84-Series for the transportation of collect on delivery shipments. If it elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.



3. The certificate of public convenience and necessity granted in paragraph 1 of this order shall be in lieu of and supersede the highway common carrier certificates of public convenience and necessity heretofore granted to or acquired by Warn Bros., Inc., which certificates, including amendment, are identified below and are hereby revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b):


Decision 78633 dated May 4, 1971 in Application 52030;
Decision 84224 dated March 25, 1975 in Application 55154;
and Decision 85437 dated February 10, 1976 in Application 56091.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 11th day of May, 1976.



President





Commissioners

WARN BROS., INC.
(a California corporation)
doing business as
Crescent Truck Lines

Warn Bros., Inc., 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 following transportation:

- I. GENERAL COMMODITIES, with exceptions hereinafter noted, between all points and places located within the defined geographical area; within the described territories; or within 25 miles laterally of certain designated highways as follows:
 - A. Between all points within the area bounded by a line commencing at the junction of the Pacific Ocean and the northern boundary of Marin County; northeasterly and southeasterly along said boundary to its junction with the northern boundary of Contra Costa County; along said boundary to its intersection with Interstate Highway 80 (at the Carquinez Bridge); northeasterly along Interstate Highway 80 to its intersection with Interstate Highway 880 (approximately 9 miles east of Davis); northeasterly and easterly along Interstate Highway 880 to the point where it reintersects Interstate Highway 80 (near McClellan Air Force Base); northeasterly along Interstate Highway 80 (and Antelope Road) to Citrus Heights; thence, in the reverse direction, southwesterly along Antelope Road and Interstate Highway 80 to its junction with State Highway 99 (at Sacramento); southeasterly along State Highway 99 to the point where it intersects the northern boundary of San Joaquin County (near Galt); easterly and southerly along the eastern boundary of San Joaquin County to its junction with the eastern boundary of Stanislaus County (near the Calaveras River); southeasterly and southwesterly along the boundary of Stanislaus County to the point where its southern boundary intersects State Highway 99 (near Turlock); thence southeasterly along State Highway 99 to the point where it intersects the northwestern boundary

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of Tulare County (near Kingsburg); thence along the northern, eastern and southern boundary of Tulare County to the point where its southern boundary intersects State Highway 99 (near Delano); southerly and southeasterly along State Highway 99 to its junction with Interstate Highway 5 (near Wheeler Ridge); southeasterly along Interstate Highway 5 to the point where it intersects the northern boundary of Los Angeles Basin Territory, as described in Note A (near San Fernando); thence generally easterly, southerly and westerly along the boundary of Los Angeles Basin Territory to the point where it again intersects Interstate Highway 5 (near San Onofre); thence southeasterly and southerly along Interstate Highway 5 through and including the San Diego Territory, as described in Note B, to the intersection of said highway with the California-Mexico border; westerly along said border to the Pacific Ocean; thence northerly and northwesterly along the shoreline of the Pacific Ocean to the point of beginning; and

- B. Between all points on or within 25 miles laterally of only those portions of the following designated highways which form an integral part of the boundary of the geographical area described above:

Interstate Highway 80
Interstate Highway 880
State Highway 99
Interstate Highway 5

including the more distant off-route points of Lake Isabella and Kernville; and including points located within 25 miles laterally of:

1. That portion of State Highway 99 which traverses San Joaquin and Stanislaus Counties; and
2. That portion of Interstate Highway 5 which traverses Los Angeles Basin and San Diego Territories.

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- II. GENERAL COMMODITIES, with exceptions hereinafter noted, northbound from all points and places within Orange County to all points located on or within 15 miles laterally of U. S. Highway 101 lying between the northern boundary of Marin County and the City of Santa Rosa, both inclusive.
- 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.
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.

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4. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers.
5. Logs.
6. Articles of extraordinary value.
7. Batteries in specially designed steel racks between Anaheim and Fremont and return of the empty racks, except shipments of batteries or returning empty batteries or battery racks which have a prior or subsequent for-hire rail, motor or water carrier movement.

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

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 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

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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 B

SAN DIEGO TERRITORY

The San Diego Territory includes that area embraced by following an imaginary line starting at a point approximately four miles north of La Jolla on the Pacific Coast shoreline running east to Miramar on U.S. Highway 395; thence following an imaginary line running southeasterly to Lakeside on State Highway 67; thence southerly on County Road S 17 (San Diego County) and its prolongation to State Highway 94; easterly on State Highway 94 to Jamul; thence due south following an imaginary line to the California-Mexico Boundary Line; thence westerly along the boundary line to the Pacific Ocean and north along the shoreline to point of beginning.

(END OF APPENDIX A)

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