

ORIGINAL

Decision No. 86804

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of CITY FREIGHT LINES, a Cali-)
fornia corporation, for authority)
to abandon a portion of its)
certificate of Public Convenience)
and Necessity.)

Application No. 56517
(Filed May 27, 1976)

O P I N I O N

By Decision 84293 dated April 8, 1975, as amended, in Application 55244, City Freight Lines, a California corporation, was granted a certificate of public convenience and necessity to transport general commodities with specified exceptions and special commodities between various points and places in the State of California as a highway common carrier. In addition, the carrier is engaged in the transportation of property between points in California pursuant to permits issued by the Commission.

By this application City Freight Lines seeks to exclude from its certificate the following transportation:

Conduit or pipe, cement and asbestos fibre and in connection therewith, equipment of rubber washers necessary in joining of pipe not to exceed five percent of the weight on which charges are assessed, from Crestmore, California, except on shipments having a prior or subsequent movement by water or rail.

The carrier indicates it desires to perform the described transportation as a contract carrier. To this end it has concurrently filed Application 56516 to deviate from the minimum rates applicable to the transportation to be excluded. It is alleged that the movement of this commodity by a permitted carrier has certain unique characteristics which justify the grant of the sought relief.

The Commission concludes that the application should be granted and that the effective date of this order should be the date on which it is signed because there is no reason to delay granting the relief requested. A public hearing is not necessary. The order which follows will provide for the revocation of the certificate presently held by City Freight Lines and the issuance of an in-lieu certificate.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to City Freight Lines, 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 and over the routes set forth in Appendix A of this decision.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do 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. Applicant 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 Commission's General Order 100-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and amend or file tariffs, in triplicate, in the Commission's office.
- (c) The tariff filings shall be made effective not earlier than one day after the effective date of this order on not less than one day's

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) Applicant 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 April 30 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) Applicant shall comply with the requirements of the Commission's General Order 84-Series for the transportation of collect on delivery shipments. If applicant elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision 84293, as amended, which certificate is revoked concurrently with the effective date of the tariff filings required by paragraph 2(b).

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The effective date of this order is the date hereof.

Dated at San Francisco, California, this 5th day of
January, 1977.

Robert B. ...

President

Vernon L. Sturgeon

Leonard ...

Commissioners

Robert ...
William Synovis, Jr.
Commissioner

City 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 following transportation.

I. GENERAL COMMODITIES

1. Between all points and places within the San Francisco Territory as described in Note A.
2. Between all points and places on and within five statute miles laterally of the following highways:
 - a. State Highway 1 between its junction with U. S. Highway 101 at El Rio and Point Mugu, inclusive.
 - b. State Highway 118 between its junction with U. S. Highway 101 near Ventura and Santa Susana, inclusive.
 - c. State Highway 126 between Ventura and its junction with Interstate Highway 5 at Castaic Junction, inclusive.
 - d. State Highway 33 between Ventura and Wheeler Hot Springs, inclusive.
 - e. State Highway 246 between Santa Ynez and Surf, inclusive, including the off-route point of Point Arguello Naval Missile Facility.
 - f. State Highway 1 between Lompoc and Pismo Beach, inclusive, including the off-route point of Vandenberg Air Force Base.
 - g. Unnumbered county road and State Highway 176 between the junction of unnumbered county road with U. S. Highway 101 near Los Alamos and Santa Maria, inclusive, via Sisquoc and Garey.
 - h. Unnumbered county highway between San Margarita and Atascadero, inclusive.

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1. U. S. Highway 101 between Atascadero and San Miguel, inclusive, including the off-route point of Camp Roberts Military Reservation.
- j. State Highway 183 between Salinas and Castroville, inclusive.
- k. State Highway 1 between Castroville and Aptos, inclusive.
- l. U. S. Highway 101 between Gilroy and Madrone, inclusive.
3. Between all points on the following named highways:
 - a. U. S. Highway 101 between Thousand Oaks and San Jose, inclusive.
 - b. State Highway 23 between Fillmore and Moorpark, inclusive.
 - c. State Highway 150 between Santa Paula and Carpinteria and State Highway 154 between Santa Barbara and Santa Ynez, inclusive.
 - d. State Highway 1 between Las Cruces and Lompoc, inclusive.
 - e. State Highway 1 between San Luis Obispo and San Simeon, inclusive.
 - f. State Highway 46 between Paso Robles and Cambria, inclusive.
 - g. State Highway 68 between Salinas and Monterey, inclusive including the off-route point of Spreckels.
 - h. State Highway 1 between Carmel and Santa Cruz, inclusive, including the off-route point of Fort Ord Military Reservation.
4. a. The authority set forth in subparagraphs 1 through 3 is subject to commodity exceptions 1, 3, 6, 7, and 13 through 17.

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- b. Through routes and rates may be established between any and all points described therein.
5. Between points in the Los Angeles Territory as described in Note B, on the one hand, and all points described in subparagraphs 1, 2, and 3 above, on the other hand (Subject to commodity exceptions 1 through 7, 10, and 12 through 17).
 6. Between all points and places within the Los Angeles Basin Territory, as described in Note C, over and along the most appropriate streets and highways within said territory.
 7. Between Santa Barbara, the Los Angeles Basin Territory and the San Diego-Escondido Territory, as described in Note D, over and along U. S. Highway 101, between Santa Barbara and its junction with Interstate Highway 5 in Los Angeles and over and along Interstate Highway 5 between its junction with U. S. Highway 101 and the San Diego-Escondido Territory, serving all intermediate points and all off-route points located on or within three statute miles laterally of said highway, including the points of Point Mugu, Port Hueneme, Oxnard, Santa Paula, Fillmore, Ojai, Goleta, Saticoy, Somis, Woodland Hills and Canoga Park.
 8. The authority set forth in subparagraphs 6 and 7 is subject to commodity exceptions 1 through 7, 9 and 11.
 9. Between Los Angeles and Boron, serving all intermediate points and all points within ten statute miles laterally of State Highway 14 between its junction with Interstate Highway 5 near San Fernando and Rosamond, unnumbered county road between its junction with State Highway 14, at Rosamond and its junction with State Highway 58, near North Edwards, and State Highway 58 between its junction with unnumbered county road near North Edwards and Boron (Subject to commodity exceptions 1 through 6 and 10).

COMMODITY EXCEPTIONS

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,

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- 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.
 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. Logs.
 8. Articles of extraordinary value.
 9. Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper.

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10. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
11. Commodities requiring protection from heat by the use of ice (either water or solidified carbon dioxide) or by mechanical refrigeration.
12. Commodities of abnormal size and weight which because of such size and weight require the use of and are transported on low bed equipment.
13. Articles of extraordinary value as set forth in Rule 3 of Western Classification 77, J. P. Hackler, Tariff Publishing Officer on the issue date thereof.
14. Petroleum products in bulk in tank trucks or tank trailers.
15. Fresh fruits and vegetables.
16. Fertilizer.
17. Conduits or pipe, cement and asbestos fibre, and in connection therewith, equipment of rubber washers necessary in joining of pipe not to exceed five percent of weight upon which charges are assessed from Crestmore, California, except on shipments having a prior or subsequent movement by water or rail.

II. SPECIFIED COMMODITIES

1. Cattle and poultry feed, seeds, fertilizer (including unrefined sulphur), insecticides, lumber, cement, and building materials in quantities of not less than 4,000 pounds per shipment from one consignor to one consignee.

From Los Angeles, San Pedro, Wilmington, Vernon, South Gate, Huntington Park, Long Beach, Inglewood, Glendale, Pasadena, San Francisco, South San Francisco, Oakland, San Leandro, Berkeley, Emeryville, San Jose, Santa Clara and Permanente to Arroyo Grande and points within a three statute mile radius thereof.

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2. a. AGRICULTURAL IMPLEMENTS, HAND, OR PARTS NAMED, as listed under that heading in Items 2710 through 3191.
- b. AGRICULTURAL IMPLEMENTS, OTHER THAN HAND, as listed under that heading in Items 3205 through 4051.
- c. AGRICULTURAL IMPLEMENTS PARTS, OTHER THAN HAND, as listed under that heading in Items 4065 through 4661.
- d. BASKETS OR HAMPERS, as listed under that heading in Items 10320 through 10670.
- e. BOXES OR CRATES, INCLUDING FIBREBOARD, PAPER OR PULPBOARD, BOTTLES OR CANS, as listed under that heading in Items 13845 through 14646.
- f. FISH, FRESH OR FROZEN, as listed under that heading in Items 38505 through 38575.
- g. FOODSTUFFS, BEVERAGES OR BEVERAGE PREPARATIONS, NOT NAMED IN OTHER MORE SPECIFIC GROUPS, as listed under that heading in Items 39410 through 41150.
- h. INSECTICIDES OR FUNGICIDES, AGRICULTURAL, as listed under that heading in Items 52960 through 53110.
- i. The term Items in subparagraphs a through h refers to Western Classification 76, George H. Dumas, Agent, on the issue date thereof.
- j. FERTILIZERS, as listed under that heading in Items 535, and 550 of Pacific Southcoast Freight Bureau Exception Sheet 1-S, Cal.P.U.C. 193, J. P. Haynes, Agent, on the issued date thereof and Item 540A of Supplement 34 thereto.
- k. MISCELLANEOUS COMMODITIES, VIZ.:
Flowers, fresh, cut.

- (1) Between all points and places in the San Luis Obispo-Santa Maria Area as described in Note E.

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- (2) Between all points and places in the San Luis Obispo-Santa Maria Area, on the one hand, and, Los Angeles, on the other hand.
 - (3) Between all points and places in the San Luis Obispo-Santa Maria Area, Oxnard and points within a five statute mile radius of Oxnard, on the one hand, and points within a five statute mile radius of Salinas, and points on or within five statute miles laterally of the following named highways, on the other hand:
 - (a) State Highway 1 between Aptos and San Francisco, inclusive.
 - (b) U. S. Highway 101 between Salinas and the San Francisco Territory as described herein, inclusive.
3. a. AGRICULTURAL IMPLEMENTS, OTHER THAN HAND, as listed under that heading in Items 595 through 980.
- b. ALUMINUM, as listed under that heading in Items 1535 through 1790.
- c. AUTOMOBILE PARTS OR ACCESSORIES, as listed under that heading in Items 2805 through 3505.
- d. FEED, ANIMAL OR POULTRY, as listed under that heading in Items 17065 through 17385.
- e. FURNITURE, as listed under that heading in Items 19510 through 20494.
- f. HARDWARE, as listed under that heading in Items 22455 through 23600.
- g. PAPER, as listed under that heading in Items 35440 through 35771.
- h. PAPER ARTICLES, as listed under that heading in Items 35785 through 36307.

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- i. PETROLEUM OR PETROLEUM PRODUCTS, IN PACKAGES, INCLUDING COMPOUNDED OILS OR GREASES HAVING A PETROLEUM BASE, as listed under that heading in Items 36390 through 36465.
- j. SEEDS, as listed under that heading in Items 39865 through 40150.
- k. The term Items in subparagraphs a through j refers to Western Classification 75, George H. Dumas, Agent, on the issued date thereof and Supplements 41, 46, 48 and 50 thereto.
- l. GROCERIES AND GROCERS' SUPPLIES, as listed under that heading in Item 360 of Fifth Revised Page 38 of Minimum Rate Tariff 2.
- m. MISCELLANEOUS COMMODITIES, VIZ.:

Advertising displays
Advertising display equipment
Barrels, empty
Batteries, electric, dry cell or storage
Cartons, fibreboard
Cement
Coke
Doors, wooden
Earth (soil)
Fibreboard
Filters
Gypsum
Lamps, electric
Lime
Lumber
Manure, animal
Notions
Oil, linseed
Paint
Pallets
Paste, adhesive
Plant supports
Sodium phosphate
Stakes, iron, steel or wooden
Structural iron or steel
Tires, pneumatic

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Tubes, tire
Trailers
Twine
Wheels
Windows

Between the Los Angeles Territory, on the one hand, and Santa Maria and Betteravia, on the other hand.

4. SUGAR, between:

- a. Crockett, on the one hand, Sunnyvale, Palo Alto, Redwood City and San Jose, on the other hand.
- b. Betteravia, on the one hand, and points in the Los Angeles Territory and San Jose, on the other hand.

- III. A. Through routes and rates may be established between any and all points described above.
- B. 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.
- C. 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.

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

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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; southwestly 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 TERRITORY

The Los Angeles Territory includes that area embraced by the following boundary: Beginning at the intersection of Sunset Boulevard and State Highway 1; thence northeasterly on Sunset Boulevard

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to Interstate Highway 405; thence northerly along Interstate Highway 405 to State Highway 118 at San Fernando (including the City of San Fernando); thence southeasterly along State Highway 118 to and including the City of Pasadena; thence easterly along Foothill Boulevard from the intersection of Foothill Boulevard and Michilinda Avenue to Valencia Way; northerly on Valencia Way to Hillcrest Boulevard; easterly and northerly along Hillcrest Boulevard to Grand Avenue; easterly and southerly along Grand Avenue to Greystone Avenue; easterly on Greystone Avenue and the prolongation thereof to the west side of Sawpit Wash; southerly on Sawpit Wash to the intersection of Mountain Avenue and Royal Oaks Drive; easterly along Royal Oaks Drive to Buena Vista Street, south on Buena Vista Street and due south on a prolongation thereof to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue in the City of Whittier; southerly on Painter Avenue to Telegraph Road; westerly on Telegraph Road to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway (State Highway 90); westerly on Imperial Highway to Lakewood Boulevard (State Highway 19); southerly along Lakewood Boulevard to its intersection with State Highway 1 at Ximeno Street; southerly along Ximeno Street and its prolongation to the Pacific Ocean; westerly and northerly along the shoreline of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and State Highway 1; thence northerly along an imaginary line to point of beginning.

NOTE C

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

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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 D

SAN DIEGO - ESCONDIDO TERRITORY

The San Diego - Escondido Territory includes that area embraced by the following boundary: Beginning at the intersection of Interstate Highway 5 and State Highway 78, thence easterly and southerly along State Highway 78 to Escondido on Interstate Highway 15 (U. S. Highway 395); thence southerly along Interstate Highway 15 (U. S. Highway 395) to Miramar; thence following an imaginary line from Miramar to Lakeside on State Highway 67; thence southerly to Bostonia on Interstate Highway 8; thence southeasterly to Jamul on State Highway 94; thence due south to the International Boundary Line thence west to the Pacific Ocean and north along the coast to the point of beginning.

Including with said San Diego - Escondido Territory all places within the corporate limits of any city which is bisected by the above described boundary line.

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NOTE E

SAN LUIS OBISPO - SANTA MARIA AREA

San Luis Obispo - Santa Maria Area means San Luis Obispo, Santa Maria, or points within 10 statute miles of each of these cities; points on or within 10 statute miles laterally of U. S. Highway 101 between these and points on or within 5 statute miles laterally of State Highway 1 between Guadalupe and Morro Bay.

(END OF APPENDIX A)

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