

Decision No. 88932 JUN 13 1978**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of B & G TRUCKING, INC., A)
California corporation, to pur-)
chase from M AND M TRANSFER COM-)
PANY, a California corporation,)
the Certificate of Public Conven-)
ience and Necessity for the trans-)
portation of general commodities)
issued by the Public Utilities)
Commission, pursuant to Sections)
851-854 of the California Public)
Utilities Code, and for the issu-)
ance of an In-Lieu Certificate of)
Public Convenience and Necessity.)

Application No. 57403
(Filed June 24, 1977)

SUPPLEMENTAL OPINION AND ORDER

By Decision 87817 dated September 7, 1977, in this proceeding, the Commission authorized the sale of the highway common carrier certificate, held by M & M Transfer Company, to B & G Trucking by issuing an in-lieu certificate to the buyer. It has been brought to the attention of the Commission staff that the description of the "Los Angeles Territory" as described in Note B of Appendix A of that decision is narrower in scope than what was originally granted to the seller.¹ The seller at one time held several certificates including the certificate granted by Decision 54903 dated April 22, 1957 in Application 36143 which was registered with the Interstate Commerce Commission under the so-called "second proviso" of Section 206(a) of the Interstate Commerce Act.

¹ Applicants contend that the Commission's record should be corrected so that the intrastate rights transferred to B & G Trucking correspond with the interstate rights previously held by M & M Trucking Company.

By Decision 74392 dated July 11, 1968, the Commission issued an in-lieu certificate to M & M Transfer Company which superseded the several certificates held by that carrier. The Commission finds that through inadvertence the description of the "Los Angeles Territory" contained in the in-lieu certificate issued in 1968 by Decision 74392 did not fully embrace the Territory described in Decision 54903.


In the circumstances, it appears that the necessary correction should be made by the order herein and that Appendix A of Decision 87817 should be amended accordingly. The effective date of this order should be the date on which it is signed, since there is no known opposition and no reason to delay correcting the discrepancy. The new territorial description reflects the names of redesignated highways and roads and does not in any way exceed the geographical scope of the authority originally registered with the Interstate Commerce Commission.

IT IS ORDERED that:

1. Decision 87817 is amended by substituting the attached First Revised Pages 3 and 4 of Appendix A in place and instead of Original Pages 3 and 4, respectively.

This order is issued pursuant to Resolution A. 4661 dated March 9, 1977 and is effective on the date hereof.

Dated at San Francisco, California, this 13th
day of JUNE, 1978.



FREDERICK E. JOHN
Executive Director
of the Public Utilities
Commission of the State of California

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 B - Portion of certificate registered with the Interstate Commerce Commission.

*Includes the area embraced by the following boundary: Beginning at the intersection of Sunset Boulevard and State Highway 1; thence northeasterly on Sunset Boulevard 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 to its junction with Sierra Avenue near Fontana; southerly on Sierra Avenue to and through the City of Fontana to its junction with Interstate Highway 10; easterly on Interstate Highway 10 to Locust Avenue; southerly on Locust Avenue to its junction with Armstrong Road; thence southwesterly on Armstrong Road and Valley Way to its junction with State Highway 60; thence westerly on State Highway 60 to its junction with Mission Boulevard; thence northwesterly and westerly on Mission Boulevard and Ontario Boulevard to State Street; thence westerly on State Street and Second Street to State Highway 71; northwesterly on State Highway 71 to Pomona Boulevard; thence westerly, southwesterly, and northwesterly on Pomona Boulevard and Valley Boulevard to the west bank of the San Gabriel River;

Issued by California Public Utilities Commission.

*Amended by Decision 88932, Application 57403.

Appendix A
(D. 27817)

B & G TRUCKING, INC.
(a California corporation)

First Revised Page 4
Cancels
Original Page 4

*southerly along the west bank of the San Gabriel River to Beverly Boulevard; thence southeasterly on Beverly Boulevard to Painter Avenue in the City of Whittier; southerly and southwesterly on Painter Avenue and Carmenita Avenue to Telegraph Road; westerly on Telegraph Road to the west bank of the San Gabriel River; thence 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 junction with State Highway 1 at Ximeno Street; southerly along Ximeno Street and its prolongation to the Pacific Ocean; thence westerly and northerly along the shoreline of the Pacific Ocean to a point directly south of the junction of Sunset Boulevard and State Highway 1; thence northerly along an imaginary line to the point of beginning.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

*Amended by Decision 88972, Application 57403.