

Decision No. 25534.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CAJALCO TRANSPORTATION COMPANY, a)
partnership composed of Nina A.)
Timmons, Joe Longfeather and Edwin) Application
Stott, for a certificate of public) No. 18464
convenience and necessity to operate)
a passenger and freight service as a)
common carrier between Arlington and)
Perris, California by way of Cajalco)
Valley and Mockingbird Canyon Road.)

BY THE COMMISSION:

ORIGINAL

O P I N I O N

Nina A. Timmons, Joe Longfeather and Edwin Stott, a copartnership, under the fictitious name Cajalco Transportation Company, has made application to establish automotive service for the transportation of persons and property between Arlington (a part of the City of Riverside) and Perris, via Mockingbird Canyon Road, and Val Verde.

It is stipulated that no traffic will be transported between Val Verde and Perris, this route being now served by The Atchison, Topeka & Santa Fe Railway and Pacific Greyhound Lines. The remainder of the route is not served by any public carrier. The distance between Arlington and Perris is 22.7 miles via the highways proposed.

The application originally provided for the transportation of freight (including livestock) on a trailer attached to the passenger vehicle but this offer was amended to provide separate vehicles, thus conforming to the Commission's rules.

The only other carriers affected, The Atchison, Topeka & Santa Fe Railway, Motor Transit Company (operating through Arlington) and Pacific Greyhound Lines, have each withdrawn protest on the establishment of the service as proposed.

This is a matter in which a public hearing appears unnecessary. The application will be granted as the service proposed will be available to an area of 50 square miles, with a population of 250, who now have no transportation facilities, except many miles distant. The region/^{produces}mainly, in season, poultry, garden vegetables, melons, hay, grain, honey and livestock.

Nina A. Timmons, Joe Longfeather and Edwin Stott, operating as Cajalco Transportation Company, are hereby placed upon notice that "operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the state which is not in any respect limited to the number of rights which may be given.

O R D E R

Nina A. Timmons, Joe Longfeather and Edwin Stott, copartners operating under the fictitious name Cajalco Transportation Company have made application for a certificate of public convenience and necessity to operate automotive service between Arlington and Perris, via Mockingbird Canyon Road,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment of automotive service for the transportation of persons and/or property between Arlington and Perris, over and along the following route:

Via Cajalco Valley, Mockingbird Canyon
and state highway between Val Verde and
Perris;

and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted subject to the following conditions:

1. Applicants shall file their written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
2. Applicants shall file, in triplicate, and make effective within a period of not to exceed thirty (30) days from the date hereof, on not less than ten days' notice to the Commission and the public a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in the exhibit attached to the application insofar as they conform to the certificate herein granted.
3. Applicants shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days from date hereof, on not less than five days' notice to the Commission and the public, time schedules covering the service herein authorized, in a form satisfactory to the Railroad Commission.
4. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
5. No vehicle may be operated by applicants herein unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 31st day of

December 1922.

D. C. Seaman
W. H. [unclear]
W. B. [unclear]
J. G. [unclear]
COMMISSIONERS