

Decision No. 25866.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Anna L. Bezera, operating under fictitious name of Sonoma Express Company, for a certificate of public convenience and necessity for the operation of motor truck express service between Santa Rosa, Sebastopol, Cotati and Penngrove, and for an order authorizing consolidation of such operation with express operations now conducted between San Francisco and Santa Rosa and other points over the Petaluma and Santa Rosa Railroad Company and to operate same in the future as one system.

ORIGINAL

Application
No. 18696.

BY THE COMMISSION:

O P I N I O N

In this proceeding Anna L. Bezera, operating an express service under the fictitious name of Sonoma Express Company between San Francisco and Santa Rosa, applies for a certificate of public convenience and necessity to transport property by auto truck between Santa Rosa and Cotati, Sebastopol and Penngrove. The service is to be limited to shipments originating at or destined to points served by applicant as an express company.

Applicant proposes rates for such service as shown in Exhibit "A". A daily service will be rendered between Santa Rosa and the three points named. Applicant has equipment adequate for this service which is now used for local deliveries in Santa Rosa. The Northwestern Pacific Railroad and Petaluma and Santa Rosa Railroad operate between the points proposed to be served by applicant but they have waived any objection they may have to the granting of the application.

This is a matter in which we believe a public hearing is unnecessary. The application will be granted.

Anna L. Bezera, operating under the fictitious name of

Sonoma Express Company is 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.

ORDER

Anna L. Bezera, operating an express service under the fictitious name Sonoma Express Company having made application for a certificate of public convenience and necessity for the establishment and operation of a truck service between Santa Rosa, Cotati and Penngrove,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment of the service as proposed by applicant over and along the following route:

Via State Highway between Santa Rosa and Penngrove, and between Santa Rosa and Cotati, and via county highway between Santa Rosa and Sebastopol, 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. The certificate herein granted is limited to the transportation of commodities to and from Santa Rosa from the points named only when such property originates at or is destined to points now served by Sonoma Express Company and for no other service.
2. Applicant shall file her written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
3. Applicant 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.

4. Applicant 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.

5. 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.

6. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by her 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 27th day of

February 1933.

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C. S. Lewis
Leon White
M. J. Lee
M. B. Lewis
Walter H. Moore
Commissioners.