Decision No. __27699__

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
VALLEY MOTOR LINES, INC., a corporation,)
to consolidate operative rights heretofore)
granted by the Railroad Commission of the) Application
State of California, in Decisions Nos. 23151) No. 19768
and 25790, between Fresno, on the one hand,)
and Orange Cove, Sultana, Orosi, Cutler,)
Yettem and Dinuba, California.)

BY THE COMMISSION:

OPINION and ORDER

Valley Motor Lines, Inc. has made application to consolidate, each with the other, but not with other operating rights of applicant, its certificates for the transportation of property between Fresno and Dinuba and certain intermediate points, and between Fresno and Sultana, Orosi, Cutler, Orange Cove, Yettem and intermediate points. The routes of these separate operations join only at Fresno and a consolidated operation may be accomplished only by authorizing rerouting, as set forth in Exhibit "C", attached to the application.

Southern Pacific Company, Pacific Motor Transport Company, Railway Express Agency, Inc. and The Atchison, Topeka & Santa Fe Railway Company have waived, in writing, objection to the application.

No changes in rates are proposed. No enlargement of the service to new points is proposed. This appears to be a matter in which a public hearing is not necessary. The application will be granted.

Valley Motor Lines, Inc. 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

2.   Applicant shall file, in triplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, 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 in so far as they conform to the certificate herein granted, or rates satisfactory to the Railroad Commission.

3.   Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, 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 applicant herein unless such vehicle is owned by said applicant or is leased by it 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 2⅟ day of January, 1935.

COMMISSIONERS.