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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Supplemental
Application
No. 19100

ORIGINAL

O P I N I O N

By supplemental application herein Western Truck Lines, Ltd. seeks a certificate of public convenience and necessity to establish transportation service for passengers and express between Desert Center and Whipple City (Whipple Mountain).

Applicant now conducts service for the transportation of freight between Los Angeles and Blythe and other points, via Desert Center. Applicant has been awarded a contract by the Metropolitan Water District for the transportation proposed herein, a part of which is conducted over private roads of the district through its various employment centers. The district is now preparing for the diversion of water at the Parker Dam site to the desilting basins and thence for transportation by canals and pipe lines through deserts and mountains to the City of Los Angeles. An important part of this work is distributed along the desert between Desert Center and Whipple City for a distance of one hundred and one miles. The service to be conducted by applicant herein is for the several thousand workmen who will be employed at and between the camps of the district, for which no public carrier now maintains any service.

Applicant will connect with service of the Pacific Greyhound Lines at Desert Center (which carrier also serves Blythe), with the concurrence of rates and will transport express, limited to 100 pounds per package. Fares for passengers and rates for express are attached to the application as Exhibit A, together with rules and regulations, said fares, rates and rules being satisfactory to the Metropolitan Water District. The operation will be conducted separately under the name Metropolitan Aqueduct Bus Line.

Applicant and The Atchison, Topeka & Santa Fe Railway Company have agreed that applicant shall perform no through service from points served by The Atchison, Topeka & Santa Fe Railway Company at and west of San Bernardino to Rice. As no other carrier is affected and as the proposal of applicant is in public interest, the application will be granted as an amendment to the certificate granted by Decision No.23482, on Application No.17233.

Western Truck Lines, Ltd. 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.

ORDER

Western Truck Lines, Ltd. having made application for amendment of its certificate as originally granted by Decision No.8567, and transferred to applicant under Decision No.23482, dated May 9, 1931, on Application No.17233, authorizing the establishment and operation of automotive service for the transportation of passengers and express (said express to be limited to packages weighing not more than 100 pounds), between Desert Center and Whipple City, via East Coxcomb Camp, West Iron Mountain, East Iron Mountain, Division No.2 headquarters, Rice, Earp, Cross Roads, Whipple Adit,

Division No.1 headquarters and Copper Basin and all intermediate points, without the right to perform any through service from points at or west of San Bernardino to Rice, over and along the following route:

Between termini, via East Coxcomb Camp,
West Iron Mountain, East Iron Mountain,
Division No.2 headquarters, Rice, Earp,
Cross Roads, Whipple Adit, Division No.1
headquarters and Copper Basin and all
intermediate points,

over the existing county public roads or the highway constructed and maintained by the Metropolitan Water District, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be and the same hereby is granted to Western Truck Lines, Ltd., subject to the following conditions:

1. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof, stipulating in such written acceptance that the certificate herein granted is an extension and enlargement of the rights granted by Decision No.8567, and transferred to applicant by Decision No.23482, and not as a new or separate right.
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 11th day of February, 1935.

Leon Whalley

M. J. Linn

M. B. Haring

W. H. H. H.

Braun R. D. W.

COMMISSIONERS.