



Valley Truck Line 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.

O R D E R

Applicant Valley Truck Line, a co-partnership of J. E. Wythe, W. G. Wahl and R. E. Hoerler, having made application as above entitled,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment of automotive service as a common carrier of property between San Martin and Coyote Dam, over and along the following route:

Via San Martin Avenue to Foothill Boulevard, thence along Foothill Boulevard; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted J. E. Wythe, W. G. Wahl and R. E. Hoerler, 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 after the effective date of this order, on not less than one day's 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. Applicants 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 one day's 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.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment by applicant Pacific Motor Transport Company of an express service for the transportation of property between San Martin and Coyote Dam.

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

1. Applicant shall file forthwith its written acceptance of the certificate herein granted.
2. Applicant shall file, in triplicate, forthwith, its tariff of rates as set forth in the application.
3. 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.

The effective date of this order shall be the date of its signature.

Dated at San Francisco, California, this 5<sup>th</sup> day of July, 1935.

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*M. B. Luning*  
*Walter J. ...*  
*Walter J. ...*  
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COMMISSIONERS.