

Decision No. 37220

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
RODNEY M. ADDCOX, doing business as)
SANTA BARBARA SPECIAL DELIVERY, for)
certificate of public convenience)
and necessity.)

ORIGINAL
Application No. 26248

BY THE COMMISSION:

INTERIM OPINION

Applicant Rodney M. Addcox, doing business as Santa Barbara Special Delivery, now operates as a highway common carrier, engaging in the transportation of motion picture films, accessories and supplies, between Los Angeles and Santa Barbara and intermediate points under authority (1) granted by the Commission. In this proceeding, applicant seeks a certificate of public convenience and necessity authorizing the extension of his service between Santa Barbara and Atascadero and certain intermediate points comprising Santa Maria, Arroyo Grande, and Pismo Beach; serving also the off-line points of Lompoc and Guadalupe. A daily service (except Sundays) would be provided under rates specified in the application.

(1) This certificate was acquired by Rodney M. Addcox pursuant to Decision No. 32573, rendered November 21, 1939, in Application No. 23114.

It has been represented to the Commission that the service now accorded motion picture theaters in these communities will be discontinued in the near future. Assertedly a need exists for the immediate establishment of the operation herein proposed. Under the circumstances, a certificate will be granted. However, this will be temporary in character and it is issued subject to modification or revocation should the facts developed upon further investigation, or upon a public hearing, if that be necessary, warrant such action.

Rodney M. Addcox is hereby placed upon notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate-fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. 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.

INTERIM ORDER

Application having been made as above entitled, and the Commission now finding that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That, pending the further order of the Commission, and subject to modification or revocation by the Commission, at any time, of the authority herein granted, a certificate of public convenience and necessity be and it hereby is granted to Rodney M. Addcox, doing business as Santa Barbara Special Delivery, authorizing the establishment and operation of a service as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, limited to the transportation of motion picture films, accessories and supplies between Santa Barbara and Atascadero and certain intermediate points comprising Santa Maria, Arroyo Grande, and Pismo Beach; serving also the off-line points of Lompoc and Guadalupe.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicant shall comply with the provisions of General Order No. 80 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, appropriate tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than one (1) day's notice to the Commission and the public.

3. Subject to the authority of this Commission to change or modify them by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along the following routes:

Between Santa Barbara and Atascadero, via U.S. Highway No. 101; between Gaviota and Lompoc, via State Highway No. 1; between Buellton and Lompoc, via State Highway No. 150; and between Santa Maria and Guadalupe, via State Highway No. 166.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 21st day
of July, 1944.

Richard L. Baker

Justus F. Cressman

Francis W. Jones
Justus F. Cressman

COMMISSIONERS