

Decision No. 32893**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ALBERT L. WEBB for an in lieu)
 certificate extending operative rights)
 to include Tujunga, and the approval) Application No. 26668
 of routes removing existing ambiguities)
 and expediting the service heretofore)
 authorized and now contemplated.)

BY THE COMMISSION:

O P I N I O N

Applicant is operating as a highway common carrier of limited commodities between Los Angeles and several cities in the vicinity thereof.¹ He requests that an in lieu certificate be granted consolidating and unifying the rights heretofore acquired by him and that the Commission grant to him a certificate authorizing an extension of his service from Montrose to Tujunga, a distance of approximately five miles.

Applicant states that the routes over which he is authorized to operate are not clearly defined and that in order to improve his present service, and for economy of operation, said routes should be clarified and redescribed. He is now

¹ Decision No. 26558, dated November 25, 1933, authorized Albert L. Webb to transport film and accessories between Los Angeles and South Pasadena, Pasadena, Glendale, Santa Monica, Ocean Park and Venice. By Decision No. 36254, dated February 8, 1944, as amended by Decision No. 36906, Webb was authorized to sell and transfer the operative right between Los Angeles and Santa Monica, Ocean Park and Venice and to acquire additional rights to transport similar commodities between Los Angeles and La Canada, Montrose, Pasadena, Altadena and Alhambra.

rendering film delivery service to Tujunga as a contract carrier and in support of his request for authority to conduct this service as a common carrier he states:

"That the same route and equipment necessary to serve Montrose is available to efficiently, economically and profitably serve Tujunga; that there is no other existing carrier rendering the service which applicant is now rendering to Tujunga, and that public convenience and necessity require the rendition of said service by this applicant."

There is a public need for the granting of a new certificate to supersede those presently held by applicant, together with the extension sought. A public hearing is not required.

Albert L. Webb 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.

O R D E R

An application, therefore, having been filed, and it being hereby found that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it is hereby granted to Albert L. Webb, authorizing the

establishment and operation of a service as a highway common carrier, as that term is defined in Section 2-3/4 of the Public Utilities Act, for the transportation of motion picture films, motion picture theater accessories and supplies, viz.: advertising matter, electric lighting effects (including carbons, bulbs and globes), motion picture projection machinery and parts, and tickets, between Los Angeles, Glendale, La Canada, Montrose, Tujunga, Altadena, Pasadena, South Pasadena and Alhambra and intermediate points.

(2) That in providing service pursuant to the certificate herein granted, the following service regulations shall be complied with:

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 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 such at any time by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along the following routes:

Route 1. Beginning at the intersection of Washington Boulevard and Vermont Avenue (Los Angeles); thence along Vermont Avenue, Santa Monica Boulevard, Sunset Boulevard, Hyperion Avenue, San Fernando Road, Central Avenue (Glendale), to Glendale; thence continuing along Colorado Boulevard, Verdugo Road, La Canada Boulevard, Verdugo Boulevard to La Canada; also, beginning at the juncture of Verdugo Road and Verdugo Boulevard in Montrose; thence along Honolulu Avenue and Tujunga Canyon Boulevard to Tujunga; thence along Foothill Boulevard, La Canada-Verdugo Road, Figueroa Drive, Lincoln Avenue, Foothill Boulevard to Altadena; thence along Lake Avenue to Pasadena; thence along Broadway Avenue (Arroyo Parkway) to South Pasadena.

Deviation to Route 1: Along Colorado Boulevard between the cities of Glendale and Pasadena when it is not necessary to make return calls to La Canada, Montrose or Tujunga.

Route 2. Beginning at the intersection of Washington Boulevard and Vermont Avenue (Los Angeles), thence along Washington Boulevard, San Pedro Street, Aliso Street, Alameda Street, Macy Street, Mission Road, Huntington Drive to Alhambra; thence along Atlantic Boulevard, Huntington Drive, Sierra Madre Boulevard to Pasadena.

(3) That the foregoing certificate is granted instead of and shall supersede all highway common carrier certificates heretofore granted by the following decisions, which are hereby revoked to the extent that they grant any authority to Albert L. Webb to operate as a highway common carrier, to wit: Decisions Nos. 26552, 36854 and 36906.

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

Dated at San Francisco, California, this 27th day of July, 1945.

Harold Ruden
Justin J. Cooney
Frank W. Cooney
James H. Lavelle
COMMISSIONERS