

Decision No. 39567

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of Gordon L. Doss to sell and J.	=	
Raymond Morgan to purchase an)	Application
automotive freight line between	=	No. 27872
Eagleville and Cedarville, California.)	
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OPINION AND ORDER

Gordon L. Doss has applied to the Railroad Commission for permission to sell to J. Raymond Morgan, for \$51.00, the certificate of public convenience and necessity acquired by him pursuant to authority granted by Decision No. 31101, dated July 15, 1938, authorizing the operation of an automobile freight line between Eagleville and Cedarville, in Modoc County, California.

It appears that applicant Doss in the past has used one truck in his operations and that in 1945 he received revenues of \$2,665.34 and incurred expenses of \$1,436.05, leaving a balance of \$1,229.29. The application indicates that the purchaser, Morgan, is in a position to equip and finance the operations. He 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 in the number of rights which may be given.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary and that the application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED as follows:

1. Gordon L. Doss may sell and transfer to J. Raymond Morgan, on or before December 31, 1946, the certificate of public convenience and necessity acquired by him under the authority granted by Decision No. 31101, dated July 15, 1938.

2. Applicants 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 tables within sixty (60) days from the date hereof and on not less than one (1) day's notice to the Commission and to the public.

3. The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 29th day of October, 1946.

Harold P. Kula
Justus F. Calver
Francis P. ...
Walter ...
Commissioners