

ORIGINALDecision No. 47662

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of SPECIAL SERVICE TRANSPORTATION)
CORPORATION, LTD., a California)
corporation, for a certificate of) Application No. 33540
public convenience and necessity)
to operate as a highway common)
carrier for the transportation of)
property.)

Phil Jacobson, for applicant.
Bailey and Poe, by Ivan E. McWhinney, for C. O. Bliss,
doing business as Bliss Film Delivery, protestant.

O P I N I O N

Special Service Transportation Corporation, Ltd., a California corporation, applicant herein, has been operating as a certificated highway common carrier for the transportation of film and film supplies and accessories "between Los Angeles and Bakersfield and Taft," via U. S. Highways Nos. 99 and 399, and certain described state and county roads, since May 1934, and "between Los Angeles, on the one hand, and Buttonwillow, Lancaster, Tehachapi and Mojave, on the other hand," via U. S. Highways Nos. 99, 6 and 466, and certain described state and county roads, since 1938 (Decisions Nos. 27046 and 31072).

By this application, authority is sought to render a similar service to the intermediate points of Ford City, a community contiguous to Taft, Greenfield, situated 8 miles south of Bakersfield on U. S. Highway No. 99, and Palmdale, situated on U. S. Highway No. 6, and also to the off-route points of Lamont and Arvin, situated along county roads between Tehachapi and Bakersfield; to serve all places where films are exhibited,

situated within a 25-mile lateral zone of said U. S. Highways Nos. 6 and 466 between Palmdale and Bakersfield; and to transport candies and confections to theaters, in addition to the commodities it is now authorized to carry.

A public hearing was held in Bakersfield before Examiner Chiesa. Evidence having been adduced, the matter was submitted for decision.

Several witnesses testified that applicant's proposed service is necessary and convenient for the showing of motion pictures at theaters situated at Ford City, Greenfield, Lamont, Arvin and Palmdale. The record also shows that a need for said service exists at the Ducl Vocational Institute, situated approximately 6 miles westerly of Lancaster. Applicant has been serving said places in the mistaken belief that its present certificates of public convenience and necessity authorized such service. Having recently been informed to the contrary, this application was filed.

The evidence also supports a finding that there is a need for the transportation of candies and other confections to the various theaters now served and those proposed to be served. The sale of such commodities in theaters has become an important part of the motion picture business.

Applicant did not present evidence justifying its request to serve all places within a 25-mile lateral area along U. S. Highways Nos. 6 and 466 between Palmdale and Bakersfield. We are convinced, however, that there is a need for its proposed transportation service at the off-route points of Lamont and Arvin.

Protestant C. O. Bliss, doing business as Bliss Film Delivery, is not a certificated carrier in the territory or between the points proposed to be served by applicant. The testimony shows that Bliss operates as a highway common carrier of film and related

supplies between certain named points and in specified areas situated easterly of Los Angeles (Decisions Nos. 39006 and 41796). Bliss testified that he now serves, as a permitted carrier, the Edwards Air Force Base (Muroc), one theater in Lancaster, and also several other theaters in towns and places in Kern and San Bernardino Counties not material to this application. Only the Edwards Air Force Base at Muroc is within the area herein proposed to be served, and the Lancaster theater is in a community now certificated to applicant. Applicant has made no showing of a need for its service at the said air base.

Having fully considered the matter, we find that public convenience and necessity require applicant to establish and operate a highway common carrier transportation service as hereinafter provided.

O R D E R

A public hearing having been held, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Special Service Transportation Corporation, Ltd., a corporation, authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of films and film supplies and accessories such as projection equipment and parts therefor, advertising matter, lighting effects and parts therefor, programs and tickets, for theaters, churches, schools and other places where films are to be exhibited, between Los Angeles, on the one hand, and Palmdale, the Deuel Vocational Institute (near

Lancaster), Arvin, Lamont, Greenfield and Ford City (near Taft), on the other hand, as an extension and enlargement of and to be consolidated with applicant's present operating rights.

(2) That a certificate of public convenience and necessity be, and it hereby is, granted to Special Service Transportation Corporation, Ltd., a corporation, authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of candy, popcorn and popcorn bags and boxes, chewing gum and confections, between Los Angeles, on the one hand, and the motion picture theaters it serves pursuant to the authority herein granted and heretofore granted by Decisions Nos. 27046 and 31072, on the other hand.

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

- (a) Within thirty (30) days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty (60) days after the effective date hereof, and upon not less than five (5) days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs and time schedules satisfactory to the Commission.
- (c) Subject to the authority of this Commission to change or modify such at any time, Special Service Transportation Corporation, Ltd. shall conduct said highway common carrier service over and along any of the routes heretofore described in Decisions Nos. 27046 and 31072, and, in addition, the following route or routes:

Los Angeles to Deuel Vocational Institute

Present route to Lancaster, thence via county or state road to the institute.

Los Angeles to Arvin or Lamont

Presently authorized Highways Nos. 99, 6 and 466, thence via most appropriate county or state highways to Arvin and Lamont.

Los Angeles to Palmdale, Greenfield, and Ford City

Presently authorized routes.

(4) That, except as hereinabove authorized in paragraphs (1) and (2), Application No. 33540 be and it hereby is denied.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 2nd day of September, 1952.

R. J. [Signature]
President
Justin J. [Signature]
[Signature]
[Signature]

Commissioners