

ORIGINALDecision No. 47805

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 VICTORVILLE-BARSTOW TRUCK LINE, a
 California corporation, for a cer-
 tificate of public convenience and
 necessity authorizing the extension
 of its highway common carrier service
 to serve Harvard Siding, Amboy, Marine
 Corps Base near Twenty-nine Palms and
 to authorize service at Riverside for
 the pickup and delivery of freight
 moving from or to points on its lines
 north of Verdemon.

Application No. 33677

Glanz and Russell, by Arthur Glanz, for the
 applicant. Turcotte and Goldsmith, by F. W. Turcotte,
 and Southern California Freight Lines, by H. P. Merry
 and H. J. Bischoff, interested parties.

O P I N I O N

Applicant herein requests authority to operate as a highway common carrier for the transportation of property between Yermo and Harvard Siding, via U. S. Highway 466, serving all intermediate points and all off-route points within nine (9) miles of Harvard Siding; between Barstow and Daggett, on the one hand, and the Marine Corps Field Artillery and Anti-Aircraft Training Center located about six miles northerly of Twentynine Palms, on the other, via U. S. Highway 66 and unnumbered county road, serving Amboy and all points within a nine-mile radius thereof; and to extend service from Colton to Riverside so as to extend applicant's pickup and delivery

service, limiting this extension to traffic moving to points generally north of Verdemon. An amendment was filed to the application whereby all intermediate points between Daggett and the afore-mentioned Center were eliminated and, further, wherein it was proposed that applicant should serve the Marine Corps Center only and not serve any area surrounding it whether within a three-mile limit or otherwise.

A public hearing was held on August 26, 1952, at San Bernardino at which time evidence was adduced and the matter was submitted.

The testimony discloses that applicant is a California corporation having its principal place of business at 2019 North Main Street, Los Angeles 31, California. It is presently engaged in the transportation of property as a highway common carrier pursuant to a number of certificates of public convenience and necessity previously issued by this Commission.

The service to Harvard Siding and to the Marine Corps Center is proposed to be on call whereas the service to Riverside is proposed to be a daily pickup and delivery service at Riverside. Applicant does not propose to serve Twentynine Palms but, rather, to limit service to the Marine Corps Center previously mentioned.

The testimony disclosed that the afore-mentioned Center presently is under construction and that there will be a considerable amount of hauling of construction material and supplies thereto, as well as hauling to the Center after it is completed and in operation.

As to the proposed extension to Harvard Siding,

applicant presently provides service to various government installations, hauling some of the traffic from railroad sidings. In the future some of this traffic will be handled through Harvard Siding.

Concerning the proposed extension to Riverside, applicant has had numerous requests to extend its pickup and delivery service to that area in order to handle the increasing amount of traffic in that vicinity.

Attached to the application is a list of equipment operated by this applicant, as well as a balance sheet statement of June 30, 1952, and a profit and loss statement for the first six months ended June 30, 1952.

The rates proposed are those now published in Freight Tariff No. 18-A, California P.U.C. No. 10, of Southwestern Motor Tariff Bureau, J. L. Beeler, Agent.

Upon this record we find that public convenience and necessity require that Victorville-Barstow Truck Line, a California corporation, establish and operate a highway common carrier service for the transportation of property between the points and over the routes as set out in the ensuing order.

Victorville-Barstow Truck Line 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

Application as above entitled having been filed, public hearing having been held thereon, the matter having been submitted, the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity authorizing operations as a highway common carrier as defined in Section 213 of the Public Utilities Act, be, and it hereby is, granted to Victorville-Barstow Truck Line, a California corporation, for the transportation of general commodities with the following exceptions:

- a. Uncrated household goods
- b. Livestock
- c. Commodities in bulk
- d. Articles of extraordinary value
- e. Commodities injurious or contaminating to other lading
- f. Uncrated, unpacked, and unwrapped new furniture
- g. Dangerous explosives

between Yermo and Harvard Siding, between Barstow and Daggett, on the one hand, and the Marine Corps Field Artillery and Anti-Aircraft Training Center located approximately six miles northerly of Twentynine Palms, on the other, serving no intermediate points, and between Riverside and Colton, subject to the following restriction:

Service to the Marine Corps Field Artillery

and Anti-Aircraft Training Center shall be limited to the area within the boundaries of the aforesaid Center.

(2) That, in providing service pursuant to the certificate 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, Victorville-Barstow Truck Line shall conduct said highway common carrier service between the following points and over the following routes:

U. S. Highway 466 between Yermo and Harvard Siding; commencing at Barstow or Daggett, thence via U. S. Highway 66 to Amboy, thence via an unnumbered county highway in a southerly and westerly direction to the Marine Corps Center, and return over the same route; between Colton and Riverside via California Highway No. 18.

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

Dated at San Francisco, California, this 7th day of October, 1952.

R. I. [Signature]
 President
Justice J. [Signature]
[Signature]
[Signature]

Commissioners