

ORIGINALDecision No. 51654

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Bigge Drayage Co.,)
 a corporation, for issuance of)
 a certificate of public convenience)
 and necessity under Section 1063 of) Application No. 36284
 the Public Utilities Code, author-)
 izing operations as a highway)
 common carrier between points and)
 places in California.)

O P I N I O N

Bigge Drayage Co., a corporation, is a highway carrier engaged in the transportation of property in California pursuant to a radial highway common carrier permit issued it by this Commission.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of machinery, equipment, materials and supplies, in lots of not less than 4,000 pounds, between all points and places in California.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

It appears that applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed operation.

Upon consideration of the allegations of the application and the representations filed pursuant to the above-mentioned notice, the Commission finds that public convenience and necessity require that the application be granted to the extent set forth in the ensuing order. A public hearing is not necessary.

Applicant 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, such rights 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 as to the number of rights which may be given.

O R D E R

The Commission having considered the application and representations filed herein, Now Therefore

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Bigge Drayage Co., a corporation, authorizing it to operate as a highway common carrier as defined by Section 213 of the Public Utilities Code for the transportation of property between the points as more particularly set forth in Appendix A attached hereto and made a part hereof.

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

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed upon notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 99. Failure to file such reports, in

such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 99, may result in a cancellation of the operating authority granted by this decision.

- (b) Within sixty days after the effective date hereof, and upon not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

The effective date of this order shall be ninety days after the date hereof.

Dated at San Francisco, California, this 5th day of July, 1955,

James J. Cooney
President

Robert L. Cooney

William D. Cooney

R. H. Cooney

Commissioners

Decision No. 51551
Dated July 5 1955
Application No. 36284

APPENDIX A

Bigge Drayage Co., a corporation, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport commodities, the transportation of which because of size or weight requires the use of special equipment, and of related machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by applicant of commodities which by reason of size or weight require special equipment, between:

- (1) San Francisco and Oakland.
- (2) Oakland and Alameda.
- (3) Oakland and Richmond.
- (4) Vallejo and Fontana.