

ORIGINALDecision No. 52001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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|---------------------------------------|-----------------------|
| In the Matter of the Application of) | |
| BLANKENSHIP MOTORS, a corporation,) | |
| for a certificate of public conven-) | |
| ience and necessity to operate as a) | Application No. 36012 |
| highway common carrier for the) | |
| transportation of property.) | |

O P I N I O N

Blankenship Motors, a corporation, is engaged in the transportation of property in California pursuant to permits issued by this Commission.

It seeks an order authorizing it to conduct service as a highway common carrier for the transportation of merchandise and equipment, materials, and supplies to, from or on behalf of mail order house and retail stores affiliated with mail order house, generally between Eureka and San Diego, Yreka and Los Angeles, San Francisco and Auburn, Los Angeles and Riverside, San Bernardino and Colton, with service to all intermediate points and for the transportation, between the same points, of general commodities, with certain exceptions, limited to shipments of not less than 2,000 pounds or subject to a charge applicable to a shipment of not less than 2,000 pounds.

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

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. It appears that applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the operation authorized herein. 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 has considered the application and representations filed herein, Now Therefore

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Blankenship Motors, 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 and over the routes 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.

- (3) 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 27th day of September, 1955.

[Signature]
President
[Signature]
[Signature]
[Signature]
[Signature]
Commissioners

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Blankenship Motors, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport:

- (1) General commodities for mail order houses and their retail stores between Alhambra, Auburn, Bakersfield, Berkeley, Burlingame, Chico, Eureka, Fresno, Gilroy, Hanford, Hayward, Huntington Park, Long Beach, Madera, Marysville, Merced, Modesto, Monterey, Napa, Oroville, Palo Alto, Petaluma, Pittsburg, Pomona, Porterville, Red Bluff; Redding, Redwood City, Riverside, Sacramento, Salinas, San Diego, San Jose, San Luis Obispo, San Rafael, Santa Ana, Santa Barbara, San Bernardino, Santa Cruz, Santa Monica, Santa Rosa, Stockton, Tracy, Tulare, Turlock, Ukiah, Vallejo, Ventura, Visalia, Watsonville, Whittier, Woodland, Yreka, Oakland, Los Angeles and Paso Robles over the following routes:
 - (a) U. S. Highway 101 and 101 Alternate between San Diego and Eureka, and the off-route points of Santa Cruz, Monterey and Watsonville.
 - (b) U. S. Highway 99, 99E and 99W between Los Angeles and Yreka and the off-route points of Porterville, Visalia, Hanford, Tracy, and Oroville.
 - (c) U. S. Highway 40 between San Francisco and Auburn and the off-route points of Napa and Pittsburg.
 - (d) U. S. Highway 66 between Los Angeles and San Bernardino.
 - (e) U. S. Highway 60, 70 and 99 between Los Angeles and Colton.
 - (f) U. S. Highway 60 between Los Angeles and Riverside.
 - (g) U. S. Highway 50 and State Highway 120 between Oakland and Manteca.

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- (h) State Highway 152 between Gilroy and Chowchilla.
- (i) State Highway 41 and 466 between Paso Robles and Famoso.
- (j) State Highway 299 between Redding and Arcata.
- (2) Canned goods, truck wheels, printed matter, pallets, peanut butter, coffee, liquid bleach, ink, household laundry drying and washing machines, wet storage batteries, fire extinguishers, tractor harness, electric ranges, lubricating grease (regular), lubricating oil, auto and auto body parts, T. V. sets, pliofilm bags, shakes, paint, as follows:
 - (a) U. S. Highway 101 and 101 Alternate between San Diego and San Francisco and intermediate points.
 - (b) U. S. Highway 99, between Los Angeles and Sacramento and intermediate points.
 - (c) U. S. Highway 66 between Los Angeles and San Bernardino and intermediate points.
 - (d) U. S. Highways 60, 70 and 99 between Los Angeles and Colton and intermediate points.
 - (e) Between Los Angeles and Riverside via U. S. Highway 60 and intermediate points.
 - (f) U. S. Highway 50 and State Highway 120 between Oakland and Manteca for operating convenience.
 - (g) State Highway 152 between Gilroy and Chowchilla for operating convenience.
 - (h) State Highway 41 and 466 between Paso Robles and Famoso for operating convenience.

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The authority granted in paragraph (2) above is subject to the following conditions:

Applicant shall not render service:

- (a) Between points north of Los Angeles on and along U. S. Highway 101 and San Francisco, on the one hand, and Sacramento, Lodi and Stockton and intermediate points, on the other hand.
- (b) Between San Francisco Territory, as defined in Minimum Rate Tariff No. 2, on the one hand, and Sacramento, Lodi and Stockton and intermediate points, on the other hand.
- (c) Between Sacramento, Stockton and intermediate points.
- (d) Between points in said San Francisco Territory and between such points, on the one hand, and Soledad, and intermediate points, on the other hand.