

ORIGINALDecision No. 52019

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MIKE CONROTTO, doing business)
as MIKE CONROTTO TRUCKING, for a)
certificate of public convenience)
and necessity to operate as a)
highway common carrier.)

Application No. 36005

O P I N I O N

Mike Conrotto is a highway common carrier engaged in the transportation of property in California pursuant to permits issued him by this Commission.

He seeks an order authorizing him to conduct service as a highway common carrier for the transportation of fruits and vegetables, cannery and packing house equipment, generally between all points in California; canned goods and empty containers between the Mexican border and Salinas; and nursery stock between Los Angeles Basin Territory and San Francisco Territory.

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 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 Mike Conrotto, authorizing him 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 he will be required, among other things, to file annual reports of his 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 4th day of October, 1955.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]

Commissioners

Decision No. 52019
Dated _____
Application No. 36003

APPENDIX A

Mike Conrotto by the certificate of public convenience and necessity granted in the above-numbered decision is authorized to transport:

- (1) Property to or from canneries and packing houses; fruits, fresh or green (not cold pack or frozen), vegetables, fresh or green (not cold pack or frozen), including fresh mushrooms, except fresh fruits and vegetables destined to processing plants, wineries, packing plants and sheds, and ice houses; over and along the following routes:
 - (a) U. S. Highway 101, 101 By-Pass, and 101 Alternate between San Francisco and the California-Mexico border.
 - (b) U. S. Highway 99 between Sacramento and the California-Mexico border.
 - (c) U. S. Highway 60 between Los Angeles and the California-Arizona state line.
 - (d) U. S. Highway 80 between San Diego and Holtville.
 - (e) With the right to serve points and places located laterally within 15 miles of the above routes.
 - (f) With the right to serve intermediate points.
- (2) Empty containers, including pallets, between Chula Vista and Salinas and intermediate points, via U. S. Highway 101.