

Decision No. 52235

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ROY JAMESON and DAROL JAMESON,)
copartners doing business as ROY)
JAMESON & SON, for a certificate)
of public convenience and neces-)
sity to operate as a highway)
common carrier.)

Application No. 36006

O P I N I O N

Roy Jameson and Darol Jameson are engaged in the transportation of property in California pursuant to permits issued by this Commission.

They seek an order authorizing them to conduct service as a highway common carrier for the transportation of general commodities, with certain exceptions, between Willits, on the one hand, and Los Angeles Basin Territory, on the other hand, including intermediate off-route points via U. S. Highways 101, 99, 40 and State Highway 33.

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 applicants possess the experience, equipment, personnel and financial resources to institute and maintain the operation authorized herein. A public hearing is not necessary.

Applicants are 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 Roy Jameson and Darol Jameson, authorizing them 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, applicants shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicants are placed upon notice that they will be required, among other things, to file annual reports of their 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, applicants 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 Los Angeles, California, this 14th day of November, 1955.

John E. Smith
 President

Marion J. Cole

Justice J. Caserio

Paul H. Winterman

Ph. Hardy
 Commissioners

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Roy Jameson and Darol Jameson, by the certificate of public convenience and necessity granted in the above-numbered decision, are authorized to transport the following commodities:

1. Canned Goods, as listed under that heading in Item No. 610 on 11th Revised Page 47 of Minimum Rate Tariff No. 2.
2. Roofing, Building or Paving Material, as listed under that heading in Item No. 1110 of Exception Sheet No. 1-S, Cal. P.U.C. No. 193, of J. P. Haynes, Agent, on the issue date thereof.
3. Animal and Poultry Feed, as listed under that heading in Item No. 400 of Exception Sheet No. 1-S, Cal. P.U.C. No. 193, of J. P. Haynes, Agent, on the issue date thereof.
4. Fertilizer, as listed under that heading in Items Nos. 535, 540 and 550 of Exception Sheet No. 1-S, Cal. P.U.C. No. 193, of J. P. Haynes, Agent, on the issue date thereof.
5. Fruit, fresh or green (not cold pack or frozen), fibreboard boxes, used burlap bags, house heating furnaces and parts, solid asphalt and asphalt composition flooring tile.

between:

- (1) Los Angeles Territory, as described in Item No. 270-3 of Minimum Rate Tariff No. 2, on the one hand, and San Francisco Territory, as described in Item No. 270-3 of Minimum Rate Tariff No. 2, points north of San Francisco on U. S. Highway 101 to and including Santa Rosa, and Sebastopol, on the other hand. ✓
- (2) Stockton, Sacramento, Antioch, Oleum, Richmond, Oakland, Emeryville and Pittsburg, on the one hand, and San Rafael, Hamilton Air Force Base, Petaluma and Santa Rosa, on the other hand. ✓

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- (3) Kingsburg, Cawelo, Fresno and Chowchilla, on the one hand, and Petaluma and Santa Rosa, on the other hand.
- (4) San Francisco and Santa Rosa and intermediate points on U. S. Highway 101.

The authority set forth in Paragraphs Nos. (1), (2) and (3) hereof does not include the right to render service from, to or between intermediate points.

Applicants shall not establish through routes and joint rates, charges, and classifications as to the separate authorities hereinabove set forth in Paragraphs Nos. (1), (2), (3) and (4).