

Decision No. 52262**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of HULSMAN TRANSPORTATION CO., a)	
corporation, for a certificate)	Application No. 36343
of public convenience and necessity))	
to operate as a highway common)	
carrier.)	

O P I N I O N

Hulsman Transportation Co. 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 general commodities, with certain exceptions, generally between Laytonville, San Francisco Territory, Tracy and King City, and intermediate and off-route points.

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 Hulsman Transportation 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 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.

(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 22nd day of November, 1955.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]

Commissioners

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Hulsman Transportation Co., by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport the following commodities:

1. Paper, as listed under that heading in Items Nos. 35440 through 35771 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 27, 41 and 47 thereto.
2. Petroleum or Petroleum Products, in packages, including compounded oils and greases having a petroleum base, as listed under that heading in Items Nos. 36390 through 36465 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and in Supplement No. 46 thereto.
3. Fertilizers, 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.
4. Animal and Poultry Feeds, 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.
5. Roofing, Building or Paving Materials, 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.
6. Lift Truck Pallets, Platforms or Skids, Wine, Glass Bottles, Iron or Steel Shipping Barrels, Common Salt, Asphalt, Dried Prunes, Apples, fresh or green (not cold pack or frozen), and Hydraulic, Masonry, Mortar, Natural or Portland Cement, in sacks.

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between:

- (1) San Francisco Territory, as defined in Item No. 270-3 of Minimum Rate Tariff No. 2, and Ukiah and intermediate points, via U. S. Highways 101 and 40, State Highways 17 and 9, and the off-route points of Forestville, Sebastopol and Lakeport. Such authority does not include the right to render service between points both of which are within the said San Francisco Territory.
- (2) Asti and Richmond, on the one hand, and Vallejo, Cordelia and Napa, on the other hand.
- (3) Richmond and Livermore.

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