

Decision No. 52518

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
SAFE TRANSPORTATION COMPANY, a)	
corporation, for a certificate of)	
public convenience and necessity)	Application No. 37010
between Sacramento, Project City)	
and intermediate points and between)	
Modesto, Fresno and intermediate)	
points.)	

Marquam C. George, for applicant.

O P I N I O N

Applicant filed this application on June 3, 1955 for an extension of its operative rights as a highway common carrier. The commodities carried include blanket wrapped new furniture and related items. The service area extends from San Francisco to Napa, Sacramento, Modesto and Salinas. Applicant now seeks to extend this area to Project City, Fresno and Oroville. It is proposed to establish rates equal to those in the Commission's Minimum Rate Tariff No. 11-A.

A public hearing was held before Examiner John Power in San Francisco on October 18, 1955. Applicant's witnesses included its president and two representatives of furniture manufacturers in the San Francisco Bay region, one from each side of the bay.

Applicant presented evidence which showed that its financial resources, facilities, equipment, experience and personnel were sufficient for the purposes of its application. Through shipper witnesses applicant established that the Northern California manufacturers had not been able to secure reliable transportation to the points to which applicant seeks to extend its services.

The Commission finds and concludes that public convenience and necessity require the proposed extension of rights and that applicant has the ability to render the extended service.

Applicant is 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

Application having been filed and public hearings held thereon and the Commission having considered the same and basing its decision upon the findings and conclusions set forth in the foregoing opinion,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is hereby granted to Safe Transportation Company, a California corporation, authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 213 of the Public Utilities Code, for the transportation of the commodities and between the points set forth in Appendix "A" attached hereto and by this reference made a part of this order.
2. In providing service pursuant to the authority herein

granted, applicant shall comply with the following service regulations:

- a. Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate herein granted.
- 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 comply with the provisions of General Order No. 80 by filing in triplicate and concurrently making effective tariffs satisfactory to the Commission.

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

Dated at San Francisco, California, this 23rd day of January, 1956.

John E. [Signature]
 President
Justice J. Calmes
Ray [Signature]
[Signature]
B. Hardy
 Commissioners

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Dated JAN 23-1956

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APPENDIX A

Safe Transportation Company by the certificate of public convenience and necessity granted in the above-numbered decision is authorized to transport new uncrated furniture, furniture parts, lamps and parts thereof, moving between furniture manufacturers and dealers, and between dealers, from, to and between all points and places it is now authorized to serve and all points and places upon and along the following routes including all points and places within five miles airline distance thereof. The routes herein referred to are:

1. Between Red Bluff and the intersection of U. S. Highways 99W and 40 (near Davis) via U. S. Highway 99W.
2. Between Sacramento and Red Bluff via U. S. Highway 99E.
3. Between Red Bluff and Project City via U. S. Highway 99.
4. Between Woodland and Oroville via State Highway 24,
5. Between Williams and Yuba City via State Highway 20.
6. Between Modesto and Fresno via U. S. Highway 99.