

Decision No. 52762**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 SAN DIEGO FORWARDING COMPANY, a)
 corporation, for a certificate of)
 public convenience and necessity to) Application No. 35936
 operate as a highway common carrier)
 of general commodities with some)
 exceptions between various points and)
 places in Southern California.)

O P I N I O N

San Diego Forwarding Company is engaged in the transportation of property in California pursuant to permits and certificates of public convenience and necessity issued by this Commission.

Applicant seeks an order authorizing it to conduct its present highway common carrier service in a northbound as well as a southbound direction.

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. It appears that applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the operation authorized therein. 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 San Diego Forwarding Company, 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 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 ten 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.

(3) The operative rights granted applicant by Decision No. 45716, dated May 15, 1951, in Application No. 31780 and by Decision No. 49014, dated August 25, 1953, in Application No. 34215 are canceled simultaneously with the filings made pursuant to and required by the provisions of paragraph (2) hereof.

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

Dated at San Francisco, California, this 13th day of March, 1956.

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

Decision No. 52762
Dated MAR 13 1956
Application No. 35936

APPENDIX A

San Diego Forwarding Company, by the certificate of public convenience and necessity granted in the above-numbered decision is authorized to transport general commodities between San Diego, Coronado, North Island, El Cajon, La Mesa, Lemon Grove, National City and Chula Vista, on the one hand, and the Los Angeles Area as described in Appendix B hereto attached, on the other hand. Such authority does not include the right to render service to, from or between intermediate points.

Applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps) ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, truck and trailers combined, buses, bus chassis.
3. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerated equipment.
5. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
6. Commodities when transported in bulk in dump trucks or in hopper type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

Decision No. 52762
Dated MAR 13 1956
Application No. 35936

APPENDIX B

Beginning at the intersection of Colorado Street and Rosemead Boulevard, in Pasadena, California, then west along Colorado Street and the prolongation thereof to the east bank of the Los Angeles River, then northerly along the east bank of the Los Angeles River to the boundary of the City of Los Angeles, then westerly along the boundary of the City of Los Angeles to Barham Boulevard, then southerly on Barham Boulevard to Cahuenga Boulevard, then southeasterly along Cahuenga Boulevard to Mulholland Highway, then westerly along Mulholland Highway to Coldwater Canyon Road, then southerly along Coldwater Canyon Road to the northerly boundary of the City of Beverly Hills, southwesterly along the boundary of the City of Beverly Hills to Santa Monica Boulevard, then southwesterly along Santa Monica Boulevard to Sepulveda Boulevard, then southerly along Sepulveda Boulevard to Imperial Highway, then east along Imperial Highway to Lakewood Boulevard, then north along Lakewood Boulevard and Rosemead Boulevard to the point of beginning.

Also points on both sides of the streets and highways which are designated as boundary lines in the foregoing territorial description.