

ORIGINALDecision No. 52879

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
M and M TRANSFER COMPANY, a)	
corporation, for a certificate of)	Application No. 36143
public convenience and necessity)	
to operate as a highway common)	
carrier.)	

O P I N I O N

M and M Transfer Company, a corporation, is engaged in the transportation of property in California pursuant to permits issued by this Commission.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of general commodities, with certain exceptions, between:

1. All points in Los Angeles Territory as that territory is defined in Minimum Rate Tariff No. 2.
2. All points on and within ten miles laterally of the following routes:
 - a. U. S. Highway 66 between Los Angeles Territory and San Bernardino.
 - b. U. S. Highway 70-99 between Los Angeles Territory and Redlands.
 - c. U. S. Highway 60 between Los Angeles Territory and Riverside.
 - d. U. S. Highways 101 and 101 Bypass between Los Angeles Territory and Santa Ana.
 - e. State Highway 39 between Fullerton and its junction with U. S. 101 alternate.
3. All points on and ten miles laterally of each of said routes and points on or ten miles laterally of each of the other routes.

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 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 M and M Transfer 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.

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

Dated at San Francisco, California, this 10th day of April, 1956.

[Signature]
President

[Signature]

[Signature]

[Signature]

Commissioners

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M and M Transfer Company, a corporation, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport the following commodities:

1. The commodities listed under the following headings in Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 27, 41, 46 and 47 thereto:

Items Nos. (Inclusive):

Agricultural Implements, Hand or Parts Named	340 through	590
Agricultural Implements, Other than Hand	595 through	980
Agricultural Implement Parts, Other than Hand	985 through	1270
Chemicals, in Packages	9955 through	12015
Insulating Material	24600 through	24760
Machinery, Machines or Parts Named	27145 through	31920
Cellulose Derivative Plastics	9655 through	9685

2. Groceries and Grocers' Supplies, as described in Item No. 360 on 5th Revised Page 38 of Minimum Rate Tariff No. 2.
3. Airplane Parts as described in Items Nos. 1285 through 1380 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and in Supplements Nos. 27, 41, 46 and 47 thereto.
4. Pipe or tubing, aluminum, with or without covering or lining of brass, copper or steel; Generators or motors, or parts thereof, or generators and engines combined; Pipe or tubing, iron or steel, plate or sheet; Pumps, power, or power pump parts; Iron or steel braces, bracing, brackets or forms, structural, fabricated from material 3/16 inch or thicker; Iron

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or Steel, viz.: angles, bars, beams, billets, channels, plate or sheet, blanks, stampings or unfinished shapes, strip steel, trusses; Iron or steel terneplate or tin plate, plain or lacquered or painted, embossed or perforated; Cresylic acid, in packages; Adhesive, synthetic resin; Pipe, duct or elbows, heating furnace, air conditioner or cooling system; Boxes, fibreboard, without wooden frames, corrugated; Lumber; Iron or steel nails or spikes; Lubricating Oil; Pipe fittings, iron or steel; Furnace radiators, house heating, iron or steel; Tanks, iron or steel, cast, plate or sheet; and Zinc or zinc alloy slab.

Between:

All points in the Los Angeles Territory as defined in Item No. 270-3 of Minimum Rate Tariff No. 2.