

Decision No. 52893**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 WEST TRANSPORTATION, INC., a corpora-
 tion, for a certificate of public
 convenience and necessity to operate
 as a highway common carrier between
 various points in the State of
 California.)

Application No. 36218

O P I N I O N

West Transportation, Inc., a corporation, is a highway carrier engaged in the transportation of property in California pursuant to a radial highway common carrier permit issued it by this Commission.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of certain specifically named commodities between all points and places within the State of California.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

It appears that applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed operation.

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. 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 West Transportation, Inc., 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 17th day of April, 1956.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

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West Transportation, Inc., 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 issued date thereof and Supplements Nos. 27, 41, 46 and 47 thereto:

	<u>Items Nos.</u> <u>(Inclusive)</u>
Petroleum or Petroleum Products, in packages	36390 - 36465
Building or Paving Materials	6880 - 7390
Asphalt, Pitch or Tar	2185 - 2250
Pole Line Construction Material	37020 - 37165
Buildings or Houses, Fabricated or Portable	8400 - 8478
Boilers, Furnaces, Radiators, Stoves, Related Articles or Parts Named	4815 - 4994
Circus Seats or Portable Grand Stands, with or without Equipment of Railings, Stringers or Supports ...	12190 - 12210
Conduits, Pipes, Smokestacks, Tubings or Fittings, other than Clay, Concrete or Earthen	13205 - 13755
Cement, Lime or Plaster	9770 - 9830
Clays, Concentrates, Earths or Ores ...	12285 - 12315
Oil, Water or Gas Well Outfits or Supplies	33720 - 34155
Aluminum	1535 - 1790
Machinery or Machines, or Parts Named ..	27145 - 31920
Bricks, Blocks, Slabs, Tile or Related Articles	6520 - 6733
Iron or Steel	24820 - 25675
Wire Goods	45655 - 45685
Brass, Bronze or Copper	6225 - 6500

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	<u>Items Nos.</u> <u>(Inclusive)</u>
Tanks	41560 - 41832
Conduits, Drain Tile, Sewer Pipe or Related Articles, Clay, Con- crete or Earthen	13095 - 13200
Building Metalwork, including Roof Trimnings or Guttering, or Venti- lators	7395 - 8085
Tile, Facing or Flooring	41905 - 41978
Roofing or Siding, or Roofing or Siding Materials	39310 - 39450
Wallboard	44645 - 44690
Shipping Carriers	9505 - 9575
Tools or Parts Named	42110 - 43105
2. Electrical Appliances or Equipment or Parts Named, as described in Items Nos. 15785 through 15815 and 16205 through 16232 in Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issued date thereof and Supplements Nos. 27, 41, 46 and 47 thereto.	
3. Cement as described in Items Nos. 9710 through 9765 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issued date thereof and Supplements Nos. 27, 41, 46 and 47 thereto.	
4. Tool stands, or tool stands and work tables combined, cast iron, or cast and plate combined; cable, scrap, lead covered copper consisting of lead covered cable worn out or otherwise rendered unfit for use, having value for remelting purposes; reels, lineman's, with or without carts; bodies, lineman's tool truck, not exceeding 35 inches in height, iron; poles, wooden, posts, wooden; soapstone or talc, crude, ground or dust; boat davits, iron; boat masts or spars, steel; chutes or spouts, iron, plate, 7 gauge or thicker; bases, gener- ator or motor, iron; bins or cribs, grain storage, steel, or wire and steel combined; fencing, wire, steel, copper clad, welded or woven, or poultry netting, steel, copper clad; chains, belting or sprocket, machine finished or silent, steel; gates, bin or hopper, steel; shackles, iron or steel, other than ball bearing; skids, iron or steel; racks, pallet, iron or steel; racks, press, iron or steel; brazing paste, copper; chutes, brass, copper	

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and steel combined; bars, commutator, copper; cable, electric, brass, bronze or copper, steel armored, lead covered or armored lead covered; tank hatches and windlasses combined; tank heads, silver-clad steel or spun steel; outfits, air compressor; outfits, asphalt emulsifying; outfits, contractors' water pipe cleaning, consisting of secondhand (used) furnaces, air compressors, pumps, winches, carts, tools, cable, suction hose and other implements or appliances necessary for water main cleaning purposes; bases, flag pole or sign, concrete, with or without metal attachments; chutes, concrete, distributing, iron; cable, electric, aluminum, with or without steel core; bases, machine, sound or vibration absorbing; nails or spikes, brass, bronze or copper, not plated; nails or spikes, copper clad, nickel plated, or silver plated; carriers or conveyors (overhead runways), consisting of switches, tracks, track hangers and track rollers; compound, vehicle body sealer or sound deadener; timber dollies; petroleum cumene; petroleum nitroethylene; petroleum xylidine; roof trusses, wooden; brass or bronze flux; brass powder; oil well drilling mud treating compound; and aluminum flux.

Between:

- A. South San Francisco, San Francisco, San Jose, Hayward, San Leandro, Alameda, Oakland, Emeryville, Berkeley, Albany, El Cerrito, Richmond and Oleum.
- B. San Francisco, El Cerrito, Richmond, Berkeley, Emeryville and Oakland, on the one hand, and Los Angeles, Maywood and Torrance, on the other hand.
- C. Richmond, Berkeley, Emeryville and Oakland, on the one hand, and Modesto, Merced, Fresno and Bakersfield, on the other hand.

Such operating authorities do not include the right to render service to, from or between intermediate points.