

ORIGINAL

Decision No. 52895

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
KARLSON BROS. TRUCKING SERVICE, a)
corporation, for a certificate of)
public convenience and necessity)
to operate as a highway common)
carrier between various points and)
places in California.)

Application No. 36330

O P I N I O N

Karlson Bros. Trucking Service is engaged in the transportation of property in California pursuant to permits and a certificate of public convenience and necessity issued by this Commission.

Applicant seeks an order authorizing it to extend its service as a highway common carrier between the points it is presently authorized to serve and generally most other points in California.

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 as 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. Such order will restate applicant's highway common carrier operative rights. 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 Karlson Bros. Trucking Service, 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 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) That the operative rights granted by Decision No. 49192, dated October 6, 1953, in Application No. 32276 are cancelled simultaneously with the making of the filings pursuant to and as required by the provisions of paragraphs (1) and (2) hereof.

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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Karlson Bros. Trucking Service, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport general commodities between:

- (a) San Francisco Territory, as defined in Item No. 270-3 Series of Minimum Rate Tariff No. 2, on the one hand, and, on the other hand, points and places on, or within 15 miles laterally of:
- (1) U. S. Highway 40 between San Pablo and Sacramento.
 - (2) U. S. Highway 99 between Sacramento and Merced.
 - (3) U. S. Highway 50 between Dublin and Stockton.
 - (4) State Highway 120 between its intersection with U. S. Highway 50 near Manteca, and junction with State Highway 108 at Yosemite Junction.
 - (5) State Highway 12 between Suisun-Fairfield and Lodi.
 - (6) State Highway 4 between Pinole and Stockton.
 - (7) State Highway 33 between its intersection with U. S. Highway 50 near Tracy and Newman.
 - (8) U. S. Highway 101 and State Highway 48 between San Francisco and Vallejo.

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- (b) San Francisco Territory, on the one hand, and, on the other hand, points and places as follows:
- (1) On or within 25 miles laterally of State Highway 108 between Yosemite Junction and Sonora.
 - (2) Within 15 miles of Sacramento and Merced.
 - (3) Within 25 miles of Sonora.
- (c) Locally between all points embraced in subparagraphs (a) (1) to (a) (8) inclusive and (b) (1) to (b) (3) inclusive, above set forth.

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, trucks and trailers combined, buses and 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.

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- (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.

Applicant may conduct operations over and along the following only as alternate routes:

- (1) Any and all streets, roads and highways within San Francisco Territory.
- (2) State Highway 33 between Newman and Los Banos.
- (3) U. S. Highway 101 between San Jose and Gilroy, State Highway 152 between Gilroy and intersection with an unnumbered county road approximately 9 miles east of Dos Palos Wye, thence over said unnumbered county road between said intersection and Merced.
- (4) State Highway 140 between Merced and Gustine.
- (5) State Highway 132 between Modesto and Vernalis.
- (6) State Highway 24 between Oakland and Sacramento.