

Decision No. 53372**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 POZAS BROS. TRUCKING CO., a)
 corporation, for a certificate of)
 public convenience and necessity to)
 operate as a highway common carrier.)
 (formerly Emile Pozas and Florencio)
 Pozas, a partnership doing business)
 as Pozas Bros. Trucking Co.)

Application No. 36069

O P I N I O N

Pozas Bros. Trucking Co., 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) Los Angeles Territory and San Francisco Territory, on the one hand, and Sacramento and intermediate points, on the other hand; (2) points in Los Angeles Basin Territory (exclusive of those in Los Angeles Territory), on the one hand, and all points in (1), on the other hand; and (3) points in San Francisco Territory.

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 on 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 Pozas Bros. Trucking Co., 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 and Appendix B 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 on 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 on 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 July, 1956.

John E. Mitchell
President

Justin J. Casner

Paul J. [unclear]

[unclear]

R. Hardy
Commissioners

Pozas Bros. Trucking Co., a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities:

ALUMINUM, VIZ.:
Bars

AUTOMOBILE PARTS OR ACCESSORIES, VIZ.:
King bolts or king pins

BRASS, BRONZE OR COPPER, VIZ.:
Bars

CARRIERS, SHIPPING, VIZ.:
Reels, wire

ELECTRICAL APPLIANCES OR EQUIPMENT, OR PARTS NAMED,
VIZ.:
Bases, generator or motor
Circuit breakers or switches
Fluorescent lamp ballasts
Generators or motors, or parts thereof
Switchboards or switchboard parts
Transformers or transformer parts

HARDWARE, VIZ.:
Clevises
Nails or spikes

IRON OR STEEL, VIZ.:
Bars
Beams
Blanks, stampings or unfinished shapes
Nails or spikes.
Plate or sheet

MACHINERY OR MACHINES OR PARTS NAMED, VIZ.:
Chain and sprocket drive (sprocket chains
and sprockets)

PAINTS, PAINT MATERIAL OR PUTTY, VIZ.:
Lacquers
Paints
Varnishes

Issued by California Public Utilities Commission.

Decision No. 53372, Application No. 36069.

PLASTIC MATERIALS, SYNTHETIC, AND RELATED ARTICLES,
NOT NAMED IN OTHER MORE SPECIFIC GROUPS, VIZ.:
Laminated plastics

RUBBER, ARTIFICIAL, GUAYULE, NATURAL, NEOPRENE OR
SYNTHETIC, VIZ.:
Tire tubes
Tire, pneumatic

MISCELLANEOUS COMMODITIES, VIZ.:
Boxes, fibreboard, without wooden frames
Cloth or tape, insulating
Coiled or spiral wire springs
Compounds, cleaning, scouring or washing
Meters, electric
Pipe or tubing, iron or steel
Wire, copper, iron or steel

between:

(1) All points and places within the San Francisco Territory as described in Appendix B hereof.

(2) San Francisco Territory, on the one hand, and Los Angeles Territory, on the other hand, each as described in Appendix B hereof

This authority does not include the right to render service to, from or between points intermediate to such territories or to render service between points within the said Los Angeles Territory.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 53372, Application No. 36069.

APPENDIX B TO DECISION NO. ~~52372~~

SAN FRANCISCO TERRITORY includes that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway No. 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway No. 101 to its intersection with the corporate boundary of the City of San Jose; southerly, easterly and northerly along said corporate boundary to its intersection with State Highway No. 17; northerly along State Highway No. 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway No. 40 (San Pablo Avenue); northerly along U.S. Highway No. 40 to and including the City of Richmond; southwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said water front and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning.

LOS ANGELES TERRITORY includes that area embraced by the following boundary: Beginning at the intersection of Sunset Boulevard and U.S. Highway No. 101, Alternate; thence northeasterly on Sunset Boulevard to State Highway No. 7; northerly along State Highway No. 7 to State Highway No. 118; northeasterly along State Highway No. 118 through and including the City of San Fernando; continuing northeasterly and southeasterly along State Highway No. 118 to and including the City of Pasadena; easterly along U.S. Highway No. 66 to State Highway No. 19; southerly along State Highway No. 19 to Lower Azusa Road; easterly on Lower Azusa Road to its intersection with the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue in the City of Whittier; southerly on Painter Avenue to State Highway No. 26; westerly along State Highway No. 26 to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway; westerly on Imperial Highway to State Highway No. 19; southerly along State Highway No. 19 to its intersection with U.S. Highway No. 101, Alternate, at Ximeno Street; southerly along Ximeno Street and its prolongation to the Pacific Ocean; westerly and northerly along the shore line of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and U.S. Highway No. 101, Alternate; thence northerly along an imaginary line to point of beginning.