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ORIGINAL

Decision No. 53624

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
KENNETH MOORE and FRANK MOORE, a)
copartnership doing business as)
MOORE TRUCK LINES, for a certificate)
of public convenience and necessity)
to operate as a highway common)
carrier between San Francisco,)
Oakland, Sacramento, Bakersfield and)
intermediate points.)

Application No. 36202

O P I N I O N

Kenneth Moore and Frank Moore are engaged in the transportation of property in California pursuant to a permit issued by this Commission.

Applicants seek an order authorizing them to conduct service as a highway common carrier for the transportation of general commodities between San Francisco, Oakland, San Lorenzo, Sacramento and an area within a 10-mile radius thereof, Bakersfield, Shafter, Wasco, Rosedale, Empire, Denair, Ivanhoe, Roseville, Woodland, Lincoln, Patterson, Gustine, Sanger, Reedley, Dinuba, Visalia, Exeter, Lindsay, Porterville, Hanford, Lemoore, Corcoran, and all points intermediate thereto and between said intermediate points.

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 applicants possess the experience, equipment, personnel and financial resources to

institute and maintain the operation authorized herein. The application will be denied. A public hearing is not necessary.

Applicants are 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 Kenneth Moore and Frank Moore, authorizing them 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, applicants shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicants are placed on notice that they will be required,

among other things, to file annual reports of their 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, applicants 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 28th day of August, 1956.

[Signature]
President
Justin J. Calmes
Charles L. Winter
Walter D. ...
[Signature]
Commissioners

Kenneth Moore and Frank Moore, by the certificate of public convenience and necessity granted in the decision noted in the margin, are authorized to transport the following commodities:

1. AUTOMOBILE PARTS OR ACCESSORIES, as listed under that heading in Items Nos. 2980 through 3505 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 41, 46, 48 and 50 thereto.
2. CHEMICALS, VIZ.:
Iron Oxide
3. ELECTRICAL APPLIANCES OR EQUIPMENT, as listed under that heading in Items Nos. 15605 through 16250 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 41, 46, 48 and 50 thereto.
4. IRON OR STEEL, VIZ.:
Fencing
Fence gates
Signs
5. MACHINERY OR MACHINES, OR PARTS, VIZ.:
Bearings
Belts, conveyor
Pumps, power
6. PAINTS, PAINT MATERIAL OR PUTTY, as listed under that heading in Items Nos. 35175 through 35420 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 41, 46, 48 and 50 thereto.
7. PAPER OR PAPER ARTICLES, VIZ.:
Bags
Linings, bag, barrel or box
Sealing tape
Toweling or towels
Wrapping, oiled or waxed

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8. MISCELLANEOUS COMMODITIES, VIZ.:
- Advertising displays
 - Burnt sienna
 - Boxes, fibreboard, paper or pulpboard
 - Ladders
 - Pipe fittings
 - Soap
 - Thread
 - Tires, rubber, pneumatic
 - Treads, tire, rubber
 - Tubes, rubber
 - Turpentine, spirits of, or wood turpentine
 - Water closet seats

Between:

Berkeley, Oakland, Emeryville, and San Leandro,
on the one hand, and points on U. S. Highway 99
between Sacramento and Bakersfield, both inclusive,
Sanger, Reedley, Dinuba, Lindsay and Porterville,
all on the other hand.

Such authority does not include the right to render
service from, to or between intermediate points.

End of Appendix A

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