

ORIGINALDecision No. 53732

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 JACK J. CONNELLY, an individual)
 doing business as MARINE TRANSPORT)
 CO., for a certificate of public) Application No. 36106
 convenience and necessity to operate)
 as a highway common carrier for the)
 transportation of property.)

O P I N I O N

Jack J. Connelly is engaged in the transportation of property in California pursuant to permits issued by this Commission.

Applicant seeks an order authorizing him to conduct service as a highway common carrier for the transportation of general commodities, with certain exceptions, generally between Los Angeles Basin Territory, San Diego Territory, Bakersfield, Tulare, Santa Barbara and San Luis Obispo and 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 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 Jack J. Connelly, authorizing him 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 he will be required, among other things, to file annual reports of his 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 14th day of SEPTEMBER, 1956.

E. M. ...
President

Justin J. ...

Paul ...

W. ...

R. Hardy

Commissioners

Jack J. Connelly, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities:

1. ACIDS, VIZ.:
Sulphuric
2. ADVERTISING MATTER, as listed under that heading in Items Nos. 225 through 330 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 41 and 46 thereto.
3. ATHLETIC, GYMNASIAC OR SPORTING GOODS, as listed under that heading in Items Nos. 2255 through 2790 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. CONDUITS, PIPE, SMOKESTACKS, TUBING OR FITTINGS, OTHER THAN CLAY, CONCRETE OR EARTHEN, as listed under that heading in Items Nos. 13275 through 13302 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 46 and 50 thereto.
5. ELECTRICAL APPLIANCES OR EQUIPMENT, OR PARTS, as listed under that heading in Items Nos. 15832 through 15845, 15891, 15895 and 16140 through 16155 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.
6. FURNITURE, as listed under that heading in Items Nos. 19512 through 20470 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. GAMES OR TOYS, as listed under that heading in Items Nos. 20670 through 20870 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.

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8. GLASSWARE, as listed under that heading in Items Nos. 21340, 21415, 21440, 21450 through 21460 and 21570 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.
9. HARDWARE, as listed under that heading in Items Nos. 22590, 22710 through 22735, 22875, 23085 and 23478 through 23490 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.
10. HOUSEHOLD UTENSILS OR RELATED ARTICLES, as listed under that heading in Items Nos. 24275 and 24335 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 46 and 48 thereto.
11. IRON OR STEEL, as listed under that heading in Items Nos. 24960, 24997, 25105 through 25130, 25265, 25470, 25635 and 25675 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.
12. LAMPS, LANTERNS, OR LIGHTING FIXTURES, as listed under that heading in Items Nos. 25875 through 25915 and 25965 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 and 48 thereto.
13. MACHINERY OR MACHINES, VIZ.:
Blocks, snatch
Lawn mowers, hand
Lawn mowers or weed cutters and engines combined
14. 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.

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15. PAPER ARTICLES, as listed under that heading in Items Nos. 35960 through 35975 and 35985 through 35997 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.
16. PRINTED MATTER, VIZ.:
Magazines or periodicals
17. RUBBER, ARTIFICIAL, GUAYULE, NATURAL, NEOPRENE OR SYNTHETIC, as listed under that heading in Items Nos. 39740 through 39770 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 41, 48 and 50 thereto.
18. MISCELLANEOUS COMMODITIES, VIZ.:
Bags, water
Baskets
Brushes
Cans, galv., oil
Carts, hand
Caster cups, furniture
Castors
Cases, gun
Cement, metallic
Compounds, cleaning, scouring or washing
Compounds, buffing or polishing
Collars, dog
Cordage, viz.: rope or twine
Cups, force
Doors, steel, truck
Garden tools
Grease, solvent
Hose, plastic
Ladders
Liquors, alcoholic
Mitre boxes
Pianos
Rods, brass
Screens, window, galvanized or copper
Sheets, laminated plastic
Sheet steel ware
Soap, detergent, liquids, bar or powder
Stools or step ladders
Sprayers

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18. MISCELLANEOUS COMMODITIES, VIZ.: (continued)
Tubing, brass
Traps, animal or bird
Tools, electric or pneumatic, hand
Towel bars

between:

- A. All points within the Los Angeles Basin Territory as described in Appendix B attached hereto.
- B. Los Angeles and Vernon, on the one hand, and Oceanside and San Diego, on the other hand.
- C. Los Angeles, on the one hand, and Oxnard, Ventura and Santa Barbara, on the other hand.

The authorities set forth in paragraphs B and C do not include the right to render service to, from or between intermediate points.

Applicant shall not establish through routes and joint rates, charges and classifications as to the separate authorities hereinabove set forth in paragraphs A, B and C.

End of Appendix A

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LOS ANGELES BASIN TERRITORY includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway No. 118, approximately two miles west of Chatsworth; easterly along State Highway No. 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Angeles National Forest Boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U. S. Highway No. 99; northwesterly along U. S. Highway No. 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwestward along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U. S. Highway No. 60; southwestward along U. S. Highways Nos. 60 and 395 to the county road approximately one mile north of Ferris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the City of San Jacinto; easterly, southerly and westerly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to the right of way of The Atchison, Topeka & Santa Fe Railway Company; southwestward along said right of way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to the county road intersecting U. S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said county road to U. S. Highway No. 395; southeasterly along U. S. Highway No. 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to point of beginning.