

ORIGINALDecision No. 53751

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 BABE TALSKY, an individual, doing)
 business as RELIABLE DELIVERY SERVICE)
 for a certificate of public convenience) Application No. 35712
 and necessity to operate as a highway)
 common carrier for the transportation)
 of property.)

O P I N I O N

Babe Talsky 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 points in the Los Angeles Basin Territory and between the Los Angeles area as defined in the applications, and Palm City, including all intermediate points.

Notice of the 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 therein. 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 Babe Talsky, 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 and over the routes 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 11th day of SEPTEMBER, 1956.

John E. Mitchell
President
Justin J. Calmes
Paul J. Intermine
William D. Dole
H. Hardy
Commissioners

Babe Talsky, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities:

1. ALUMINUM, as listed under that heading in Items Nos. 1535 through 1790 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. AUTOMOBILE PARTS OR ACCESSORIES, as listed under that heading in Items Nos. 2805 through 3505 of the 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.
3. BRASS, BRONZE OR COPPER, VIZ.:
 - Coils
 - Fittings
 - Rods
 - Rolls
 - Screen cloth
 - Sheets
 - Tubing
 - Wire
4. CHEMICALS, VIZ.:
 - Methallyl chloride
 - Sulphur dioxide
5. CLOTH, DRYGOODS OR FABRIC, as listed under that heading in Items Nos. 12550 through 12887 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. CONDUITS, PIPE, SMOKSTACKS, TUBING OR FITTINGS, OTHER THAN CLAY, CONCRETE OR EARTHEN, VIZ.:
 - Pipe, soil, iron or steel
 - Pipe, galvanized
 - Pipe fittings, iron or steel
 - Tubing, iron or steel or nickel

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7. DRUGS, MEDICINES OR TOILET PREPARATIONS, as listed under that heading in Items Nos. 15180 through 15500 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.
8. ELECTRICAL APPLIANCES OR EQUIPMENT, OR PARTS NAMED, as listed under that heading in Items Nos. 15891, 15925 through 15930, 15985, 15965, 16075, 16105 through 16110, 16140 through 16155 and 16237 through 16245 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. 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.
10. GUMS OR RESINS, SYNTHETIC, as listed under that heading in Items Nos. 22250 through 22262 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.
11. HARDWARE, as listed under that heading in Items Nos. 22455 through 23660 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. INSULATORS, as listed under that heading in Items Nos. 24770 through 24805 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.
13. IRON OR STEEL, as listed under that heading in Items Nos. 24960, 24997, 25040, 25265, 25335 through 25360, 25410, 25430, 25470 and 25645 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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14. LAMPS, LANTERNS OR LIGHTING FIXTURES OR PARTS, VIZ.:
Lamps, electric, incandescent
Lighting fixtures or parts, electric
15. MACHINES OR MACHINERY, as listed under that heading in Items Nos. 28562, 28890, 29235 through 29270 and 30275 through 30450 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. 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.
17. PASTE, as listed under that heading in Items Nos. 36330 through 36360 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.
18. PLUMBERS' GOODS, OR BATHROOM OR LAVATORY FIXTURES, as listed under that heading in Items Nos. 36560 through 37010 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.
19. RACKS, as listed under that heading in Items Nos. 37755 through 37895 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.
20. MISCELLANEOUS COMMODITIES, VIZ.:
Cigarettes
Conditioners, water
Cordage, rope or twine
Furnaces
Garden tools or supplies
Glass, window
Hats
Ironing boards
Jugs, thermic
Medicine cabinets
Oil, petroleum in packages

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20. MISCELLANEOUS COMMODITIES, VIZ.: (Continued)

Oil, Linseed
Paper, pulpboard, or fibreboard
Papeteries
Shoes
Stepladders
Tape, friction
Trucks, hand
Wheelbarrows

between

- A. All points within the area more particularly described in Appendix B, attached hereto.
- B. Los Angeles, on the one hand, and Oceanside and San Diego, on the other hand.

This authority does 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 the separate authorities hereinabove set forth in paragraphs A and B.

END OF APPENDIX A

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APPENDIX B TO DECISION NO. 53751

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 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 and including the City of Redlands; westerly along U. S. Highway No. 99 to U. S. Highway No. 395; southerly along U. S. Highway No. 395 to State Highway No. 18; southwestly along State Highway No. 18 to U. S. Highway No. 91; westerly along U. S. Highway No. 91 to State Highway No. 55; southerly along State Highway No. 55 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.

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