

**ORIGINAL**

Decision No: 53816

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JOHN M. WEBSTER,  
an individual, doing business as  
WEBSTER DELIVERY SERVICE, to  
operate a Highway Common Carrier  
Service.

Application No. 36440

O P I N I O N

John M. Webster 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, between points in the Los Angeles Drayage Area; from all points in said area to points in the Los Angeles Territory as described in the application, and from and to specifically named 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 John M. Webster, 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 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 25<sup>th</sup> day of SEPTEMBER, 1956.

John E. Mitchell  
President  
Justice J. Quince  
Paul Winters  
Walter D. ...  
B. Hardy  
Commissioners

John M. Webster, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities:

1. ABRASIVES, as listed under that heading in Items Nos. 5 through 45 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof.
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. CLOTH, DRY GOODS OR FABRICS, as listed under that heading in Items Nos. 12550 through 12685 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. DRUGS, MEDICINES OR TOILET PREPARATIONS, VIZ.:  
Perfumery
5. ELECTRICAL APPLIANCES OR EQUIPMENT, OR PARTS NAMED, 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.
6. FLOOR COVERINGS, as listed under that heading in Items Nos. 17865 through 17965 of Western Classification No. 75, Cal. P.U.C. No. 8, George H. Dumas, Agent, on the issue date thereof and Supplements Nos. 46, 48 and 50 thereto.
7. FURNITURE, as listed under that heading in Items Nos. 19495 through 20494 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.

Issued by California Public Utilities Commission.

Decision No. 53816, Application No. 36440.

8. 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.
9. GLASSWARE, as listed under that heading in Items Nos. 21265 through 21585 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. 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.
11. MACHINERY OR MACHINES, OR PARTS NAMED, as listed under that heading in Items Nos. 27145 through 31920 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. PADS OR PADDING, as listed under that heading in Items Nos. 35125 through 35155 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.
13. SHEET STEEL WARE, as listed under that heading in Items Nos. 40245 through 40490 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.
14. STATIONERY, as listed under that heading in Items Nos. 41203 through 41290 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.
15. TRUNKS OR TRAVELING BAGS, as listed under that heading in Items Nos. 43240 through 43280 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.

Issued by California Public Utilities Commission.

Decision No. 53816, Application No. 36440.

## 16. MISCELLANEOUS COMMODITIES, VIZ.:

Boots or shoes  
Buckles, clothing  
Clocks  
Clothing  
Hosiery  
Notions  
Pillows  
Rubber, foam  
Silver plated ware, not on silver  
Synthetic resin articles  
Towels, or toweling, paper  
Watches

between:

All points within the following described area:

Beginning at the intersection of Sunset Boulevard and U. S. Highway 101 Alternate; thence northeasterly along Sunset Boulevard to State Highway 7; northerly along State Highway 7 to State Highway 118; northeasterly along State Highway 118 through and including the City of San Fernando, continuing northeasterly and southeasterly along State Highway 118 to and including the City of Pasadena; southerly on Rosemead Boulevard to the Whittier Narrows Dam; easterly along the Whittier Narrows Dam to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Carson Street; easterly on Carson Street to the Los Angeles County-Orange County boundary line; southerly along said county line 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 101 Alternate; thence northerly along an imaginary line to the point of beginning.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 52816, Application No. 36440.