

**ORIGINAL**

Decision No. 54011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
BERT F. JOHANSEN, an individual doing )	
business as SUPERIOR TRUCK CO., for a )	
certificate of public convenience and )	Application No. 36016
necessity to operate as a highway )	
common carrier for the transportation )	
of property. )	

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O P I N I O N

Bert F. Johansen 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 Los Angeles, Bakersfield, Santa Maria, San Bernardino, Redlands, Riverside, Beaumont, Santa Ana, Elsinore, Indio, El Centro, Calexico and the San Diego Territory, 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 Bert F. Johansen, 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 30<sup>th</sup> day of OCTOBER, 1956.

*John E. ...*  
President  
*Paul ...*  
*...*  
*R. ...*

Commissioners

Bert F. Johansen, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities:

1. 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.
2. CANNED GOODS AND OTHER ARTICLES, as listed under that heading in Item No. 610 on Twelfth Revised Page No. 47 of Minimum Rate Tariff No. 2.
3. GROCERIES AND GROCERS' SUPPLIES, as listed under that heading in Item No. 360 on Fifth Revised Page No. 38 of Minimum Rate Tariff No. 2.
4. 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.
5. MISCELLANEOUS COMMODITIES, VIZ.:
  - Cleaning, scouring or washing compounds
  - Dishes, plastic
  - Glycerine
  - Peanut oil
  - Peanuts
  - Petroleum jelly
  - Soap

between:

- A. All points within the Los Angeles Territory as described in Appendix B attached hereto.
- B. Los Angeles, on the one hand, and Azusa, Monrovia, Baldwin Park, Puente, Pomona, Ontario, Riverside and San Bernardino, on the other hand.

Issued by California Public Utilities Commission.

Decision No. 54011, Application No. 36016.

- C. Los Angeles, on the one hand, and Orange, Fullerton, Santa Ana and San Diego, on the other hand.

The authorities set forth in paragraphs B and C above 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 above set forth in paragraphs A, B and C hereof.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 51671, Application No. 36016.

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.