

# ORIGINAL

Decision No: 52592

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of: )  
 Bolen's Delivery Service )  
 Vernon W. Bolen )  
 To operate a Highway Common )  
 Carrier Service. )

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Application No. 36260

George B. Prentice, for applicant.  
John B. Robinson, for Southern California  
 Freight Forwarders and Southern California  
 Freight Lines, interested parties.

## O P I N I O N

Vernon W. Bolen 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 all points in Ventura and Santa Barbara Counties.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

A public hearing was held at Los Angeles on December 4, 1956 before Examiner Carl Silverhart.

Upon consideration of the allegations of the application, the representations filed pursuant to the above-mentioned notice and the evidence adduced at the hearing, 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.

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

A public hearing having been held and based upon the evidence adduced therein and the application and representations filed herein,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Vernon W. Bolen, 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 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 25th day of February, 1957.

John E. Mitchell  
President  
Paul J. Bremer  
William D. ...  
E. ...

Commissioners

Rex Hardy  
Commissioner ..... being necessarily absent, did not participate in the disposition of this proceeding.

Vernon W. Bolen, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following commodities:

1. ATHLETIC GYMNAS TIC OR SPORTING GOODS, as listed under that heading in Items Nos. 6945 through 8080 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
2. AUTOMOBILE PARTS OR ACCESSORIES, as listed under that heading in Items Nos. 8110 through 9240 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
3. ELECTRICAL APPLIANCES OR EQUIPMENT, OR PARTS NAMED, as listed under that heading in Items Nos. 34020 through 35405 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
4. HARDWARE, as listed under that heading in Items Nos. 48640 through 51180 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
5. LIQUORS, BEVERAGE, as listed under that heading in Items Nos. 56830 through 56880 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
6. OPTICAL GOODS, VIZ.:  
Lenses, optical  
Optical glass, or lens blanks  
Optical goods or instruments
7. PAINTS, PAINT MATERIAL OR PUTTY, as listed under that heading in Items Nos. 74750 through 75200 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
8. RUBBER, ARTIFICIAL, GUAYULE, NATURAL, NEOPRENE, OR SYNTHETIC, VIZ.:  
Tire tubes  
Tires

Issued by California Public Utilities Commission.

Decision No. 34392, Application No. 36260.

9. MISCELLANEOUS COMMODITIES, VIZ.:
- Blood plasma
  - Masts, aeriels or antennas, radio and television

## BETWEEN:

- A. Santa Barbara and Thousand Oaks and intermediate points via U. S. Highway 101, including the off-route points of Port Hueneme, Oxnard, Saticoy and Somis.
- B. Ventura and Ojai, and intermediate points via U. S. Highway 399 and State Highway 150.
- C. Ventura and Fillmore, and intermediate points via State Highway 126.

End of Appendix A

Issued by California Public Utilities Commission.

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