

ORIGINALDecision No. 55079

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 VERYL CALLISON, an individual doing)
 business as CALLISON TRUCK LINES,)
 for a certificate of public conven-)
 ience and necessity to extend an)
 operation as a highway common carrier)
 for the transportation of property.)

Application No. 38023

O P I N I O N

By the above-numbered application, as amended, Callison Truck Lines, Inc., is requesting a certificate of public convenience and necessity to operate as a highway common carrier, between points which it is presently authorized to serve, on the one hand, and Ferndale and Centerville Beach, on the other hand. Applicant is requesting authority to transport general commodities except livestock, uncrated household goods, articles of unusual value, and liquified petroleum products in bulk, in tank trucks or trailers, between the points in question.

Applicant's present operating rights were granted by Decision No. 38742, dated March 5, 1946, in Application No. 26391, Decision No. 41367, dated March 23, 1948, in Application No. 27991, Decision No. 52213, dated November 7, 1955, in Application No. 35434, and Decision No. 54198, dated December 4, 1956, in Application No. 38445. The certificates granted by the first three decisions were transferred to applicant by Decision No. 53325, dated July 10, 1956, in Application No. 38109.

Generally, Decision No. 38742 granted a certificate of public convenience and necessity as a highway common carrier:

(a) For the transportation of fresh, frozen and cured fish, crustaceans, fish livers, fish viscera; equipment, materials and supplies used or useful in the fishing business; namely, liver cans, fiber board cartons; wooden fish boxes; hemp, sisal, iron or steel rope; iron or steel cable; cork, glass, wood or aluminum floats; ammonia cylinders or tanks, set up; fish net preservatives; ice shovels; fishing tackle, NOIBN; running gear which is used on boats and is described under that heading in the current classification; weighing scales, NOIBN; iron crab pots, fish bait, fish nets, winches, fishing boat engines and parts for fishing boats and engines, between Eureka and Fields Landing, on the one hand, and San Francisco and Oakland, on the other hand.

(b) For the transportation of dormant nursery stock, potted plants and cut flowers between McKinleyville and Eureka and points within three miles of Eureka, on the one hand, and on the other hand, Santa Rosa and San Jose and intermediate points via Napa, Vallejo, Oakland, Hayward, Petaluma and San Francisco.

Subject to the authority of the Commission to change or modify them by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along the following routes:

Over U. S. Highway 101 between McKinleyville and San Jose; over Bayshore Highway and El Camino Real between San Francisco and San Jose; and over State Highway 12 between Santa Rosa and Napa; over State Highway 29 between Napa and Vallejo; over U. S. Highway 40 between Vallejo and Oakland; and over U. S. Alternate Highway 101 and State Highways 17 and 21 between Oakland and San Jose; over U. S. Highways 40 and 50 between Oakland and San Francisco; and over the public highway and San Mateo toll bridge between Hayward and San Mateo.

Decision No. 41367 granted a certificate of public convenience and necessity, generally:

For the transportation of general commodities, except livestock, uncrated household goods, and articles of unusual value:

(1) Between Arcata and Garberville and intermediate points via Eureka, Fortuna, and Scotia, on the one hand, and San Francisco, Daly City, Colma, South San Francisco, Richmond, Berkeley, Emeryville, Oakland, Alameda and San Leandro, on the other hand, and

(2) Locally between Arcata and Garberville and intermediate points via Eureka, Fortuna, and Scotia.

Decision No. 52213 granted a certificate of public convenience and necessity, generally:

For the transportation of general commodities, except livestock, uncrated household goods, articles of unusual value, and liquefied petroleum products in bulk in tank trucks or trailers, between Arcata and Crescent City and intermediate points, including the off-route points of Big Lagoon and Crannell.

The service authorized shall be conducted over U. S. Highway 101 and county roads necessary to serve authorized off-route points.

The application alleges that the communities of Ferndale and Centerville Beach require the service of an additional common carrier, that notwithstanding the service of two presently existing carriers, numerous shippers have urged the applicant to serve Ferndale and Centerville Beach in conjunction with their shipments to other points presently served by applicant, and that consignees at Ferndale and Centerville Beach who are aware of the applicant's service to nearby communities have requested the applicant to serve Ferndale and Centerville Beach.

Upon consideration of the allegations of the application, 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 equipment, experience 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 the 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.

There are no protests to the application and a public hearing does not appear necessary.

O R D E R

An application having been filed and the Commission having been informed in the premises,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is granted to Callison Truck Lines, Inc., authorizing it to operate as a highway common carrier as defined by Section 213 of the Public Utilities Code for the transportation of general commodities, except livestock, uncrated household goods, articles of unusual value, and liquefied petroleum products in bulk in tank trucks or trailers, between points which applicant is presently authorized to serve, on the one hand, and Ferndale and Centerville Beach, on the other hand. This certificate is granted as an extension and enlargement of, and consolidation with, applicant's existing operating rights as a highway common carrier.

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.

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 twenty days after the date hereof.

Dated at San Francisco, California, this 4th day of June, 1957.

1957.

[Signature]
President
[Signature]
[Signature]
[Signature]
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Commissioners