

ORIGINALDecision No. 55253

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 WILLIAM W. HUGHES, an individual,)
 doing business as HUGHES TRUCK CO.,)
 for a certificate of public conven-)
 ience and necessity to operate as a)
 highway common carrier of described)
 special commodities between various)
 points and places in Southern Cali-)
 fornia, pursuant to Section 1063 of)
 the Public Utilities Code.)

Application No. 35969

Glanz & Russell, by Arthur Glanz, for
 applicant.

O P I N I O N

William W. Hughes, doing business as Hughes Truck Co.,
 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 specifically
 named commodities generally between points in the Los Angeles Basin
 Territory and between Los Angeles and San Ysidro and intermediate
 points.

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 April 18, 1957,
 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 William W. Hughes, doing business as Hughes Truck Co., 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 9th day of JULY, 1957.

President
Paul J. Linter

W. H. Dwyer

R. W. Smith

E. J. Fox
Commissioners

Commissioner Peter E. Mitchell being necessarily absent, did not participate in the disposition of this proceeding.

William W. Hughes, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

1. ABRASIVES, as listed under that heading in Items Nos. 2000 through 2070 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
2. BROOMS, BRUSHES OR MOPS, OR PARTS NAMED, as listed under that heading in Items Nos. 15545 through 15750 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
3. FERTILIZERS, as listed under that heading in Items Nos. 535, 540 and 550 of Pacific Southcoast Freight Bureau Exception Sheet No. 1-S, Cal.P.U.C. No. 193, J. P. Haynes, Agent, on the issue date thereof and Supplement No. 34 thereto.
4. INSECTICIDES OR FUNGICIDES, AGRICULTURAL, as listed under that heading in Items Nos. 52960 through 53110 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
5. 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.
6. PETROLEUM OR PETROLEUM PRODUCTS, INCLUDING COMPOUNDED OILS OR GREASES HAVING A PETROLEUM BASE, IN PACKAGES, as listed under that heading in Items Nos. 77230 through 77340 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
7. PLASTIC MATERIALS, SYNTHETIC, AND RELATED ARTICLES, NOT NAMED IN OTHER MORE SPECIFIC GROUPS, as listed under that heading in Items Nos. 77655 through 77831 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
8. RUBBER, ARTIFICIAL GUAYULE, NATURAL, NEOPRENE OR SYNTHETIC, as listed under that heading in Items Nos. 84150 through 84490 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

Issued by California Public Utilities Commission.
Decision No. 55258, Application No. 35969.

9. MISCELLANEOUS COMMODITIES; VIZ.,
Alcohol, in drums
Buffing or polishing compounds
Cement, rubber
Cleaning, scouring or washing compounds
Deodorants or disinfectants
Naptha
Paste, adhesive
Sizing
Shaving cream
Soap
Sprayers

BETWEEN

- A. Los Angeles and Vernon, and points within a radius of five miles of Los Angeles or Vernon, on the one hand, and points within the area more particularly delineated in Paragraph 1 of Appendix B hereto attached, on the other hand.
- B. Los Angeles and Vernon, and points within a radius of five miles of Los Angeles or Vernon, on the one hand, and points on U.S. Highway No. 101 and 101 Alternate between Santa Monica and the San Diego Territory, as described in Appendix B hereto attached, inclusive of Santa Monica and said San Diego Territory, on the other hand.

Applicant shall not establish through routes and joint rates, charges and classifications as to the separate authorities above set forth in Paragraphs A and B.

End of Appendix A

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Decision No. , Application No. 35969.

1. Beginning at the intersection of State Highway No. 27 and U. S. Highway No. 101, alternate; northerly on State Highway No. 27 to U. S. Highway No. 101; westerly on U. S. Highway No. 101 to a point where the city limits of the City of Los Angeles is intersected thereby; northerly and easterly along said city limits of Los Angeles to a point from which an imaginary line drawn easterly intersects State Highway No. 7; easterly from such point along such imaginary line to State Highway No. 7; southerly on 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; thence 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 Alessandro; westerly along unnamed county road to Arlington; 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.

Included within the territory immediately above described are all places within the corporate limits of any city which is bisected by the State and U. S. Highways and county roads constituting the boundary of such territory between Yucaipa and Newport Beach.

2. SAN DIEGO TERRITORY includes that area embraced by the following imaginary line starting at the northerly junction of U. S. Highways 101-E and 101-W (four miles north of La Jolla); thence easterly to Miramar on State Highway No. 395; thence southeasterly to Lakeside on the El Cajon-Ramona Highway; thence southerly to Bostonia on U. S. Highway No. 80; thence southeasterly to Jamul on State Highway No. 94; thence due south to the International Boundary Line; west to the Pacific Ocean and north along the coast to point of beginning.