

**ORIGINAL**Decision No. 55255

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 A. R. PEARSON TRUCK COMPANY, INC., )  
 successor to ALBERTO R. PEARSON, and )  
 ALBERTO R. PEARSON, as Executor of the )  
 Estate of ATLEE R. PEARSON, Deceased, )  
 doing business as A. R. PEARSON TRUCK ) Application No. 36197  
 CO., for a certificate of public )  
 convenience and necessity to operate )  
 as a highway common carrier of special )  
 commodities with some exceptions )  
 between various points and places in )  
 Southern California pursuant to Public )  
 Utilities Code Sections 1063-1064. )

Glanz and Russell by Theodore W. Russell,  
 for applicant.

O P I N I O N .

A. R. Pearson Truck Company, Inc., is engaged in the transportation of property in California pursuant to permits issued by this Commission. The successor corporation will be referred to as applicant in this application.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of machinery and commodities of unusual size, weight or bulk between all points in parts of Los Angeles and Orange 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 5, 1956 before Examiner John Power.

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 as 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 A. R. Pearson Truck Company, Inc., a corporation, authorizing it 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 it will be required, among other things, to file annual reports of its 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.

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President

*Paul J. Winter*

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*William J. Dooley*

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*R. H. Smith*

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*C. L. Fay*

Commissioners

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

A. R. Pearson Trucking Company, Inc., a corporation,  
by the certificate of public convenience and necessity granted  
in the decision noted in the margin, is authorized to transport:

1. Commodities, the transportation of which because of size or weight requires the use of special equipment, and of related machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by applicant of commodities which by reason of size or weight require special equipment.
2. ALLOYS, as listed under that heading in Items Nos. 5080 through 5340 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
3. ALUMINUM, as listed under that heading in Items Nos. 5370 through 5870 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
4. BOATS, OR PARTS NAMED, as listed under that heading in Items Nos. 11140 through 11930 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
5. BOILERS, FURNACES, RADIATORS, STOVES, RELATED ARTICLES OR PARTS NAMED, as listed under that heading in Items Nos. 11960 through 13261 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
6. IRON AND STEEL, as listed under that heading in Items Nos. 53610 through 55290 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
7. MACHINERY, OR MACHINES, OR PARTS NAMED, as listed under that heading in Items Nos. 58470 through 67391 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
8. TANKS, as listed under that heading in Items Nos. 88710 through 89300 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

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9. VEHICLES, MOTOR, as listed under that heading in Items Nos. 93370 through 93440 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

BETWEEN:

All points and places within the following described area:

Beginning at the intersection of the westerly boundary of the City of Los Angeles and the Pacific Ocean, then via the westerly and northerly boundaries of the City of Los Angeles, the southerly boundary of the Angeles National Forest, the easterly boundary of Los Angeles County, and the northeasterly boundary of Orange County to its junction with U. S. Highway 91, then via U. S. Highway 91 and State Highway 55 and the prolongation of State Highway 55 in a generally southwesterly direction to the Pacific Ocean, then via the coastline of the Pacific Ocean to the point of beginning; also, points and places south and east of U. S. Highway 91 and State Highway 55 within a radius of five miles of said highways between the Orange County line and the Pacific Ocean.

End of Appendix A

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