

Decision No. 55357**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 LOS ANGELES TRANSPORT & WAREHOUSE CO., )  
 a corporation, for a certificate of )  
 public convenience and necessity to )  
 operate as a highway common carrier ) Application No. 35918  
 of limited commodities from Vernon, )  
 California, to various points and )  
 places in Southern California, pur- )  
 suant to Sections 1063-1064 of the )  
 Public Utilities Code. )

Glanz and Russell by Arthur W. Glanz for  
 applicant.

O P I N I O N

Los Angeles Transport & Warehouse Co. is engaged in the transportation of property in California pursuant to permits issued by this Commission.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of specified commodities between Vernon, on the one hand, and other Southern California 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 May 14, 1957 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 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 Los Angeles Transport & Warehouse Co., 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 Appendices A and 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 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 5th day of AUGUST, 1957.

[Signature]  
 \_\_\_\_\_  
 President

[Signature]  
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[Signature]  
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[Signature]  
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Commissioners

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

Appendix A      Los Angeles Transport & Warehouse Co. Original Page 1  
(A Corporation)

Los Angeles Transport & Warehouse Co. by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

1. ADVERTISING MATTER, as listed under that heading in Items Nos. 2485 through 2690 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
2. CANDY OR CONFECTIONERY, as listed under that heading in Items Nos. 20050 through 20200 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
3. DENTAL, HOSPITAL OR SURGICAL SUPPLIES, as listed under that heading in Items Nos. 32300 through 32620 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
4. DRUGS, MEDICINES OR TOILET PREPARATIONS, as listed under that heading in Items Nos. 33270 through 33780 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
5. PRINTED MATTER, as listed under that heading in Items Nos. 79505 through 79630 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
6. MISCELLANEOUS COMMODITIES, VIZ.:  
    Compounds, cleaning, scouring or washing  
    Gloves, plastic or rubber  
    Soap

BETWEEN:

Vernon, on the one hand, and the Los Angeles Basin Territory, Excluding Hemet, and the San Diego Territory, both as described in Appendix B hereto attached, and intermediate points on U. S. Highways Nos. 101 and 101 Alternate, on the other hand.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 55357, Application No. 35918.

APPENDIX B TO DECISION NO. 55357

LOS ANGELES BASIN TERRITORY EXCLUDING HEMET: 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 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; 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 State Highway No. 18; southwestwesterly along State Highway No. 18 to U. S. Highway No. 91; westerly along U. S. Highway No. 91 to State Highway No. 55; southerly on 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.

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.