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ORIGINAL

Decision No. ___ 55901

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of J. S. ENNES, an individual doing business as ENNES TRANSPORTATION for a certificate of public convenience and necessity authorizing transportation of property as a highway common carrier between various points in California.

Application No. 36121

In the Matter of the Application of CLAIR E. CAMPBELL, dba CAMALL SERVICE, to operate a highway common carrier service.

Application No. 36287

<u>o p i n i o n</u>

Clair E. Campbell has petitioned to be substituted as applicant in Application No. 36121 and for reconsideration of Decision No. 54588, dated February 25, 1957 therein; and said Campbell has also requested, in writing, the reconsideration of Decision No. 55360, dated August 5, 1957 in Application No. 36287. The Commission is of the opinion and finds that public convenience and necessity require that said petition and request be granted to the extent set forth in the following order.

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.

ORDER

The Commission having considered the application and representations filed herein, now therefore,

IT IS ORDERED:

- 1. That Clair E. Campbell is hereby substituted for J. S. Ennes as applicant in Application No. 36121.
- 2. That Decision No. 54588, dated February 25, 1957 in Application No. 36121 is hereby vacated and set aside.
- 3. That Decision No. 55360, dated August 5, 1957, in Application No. 36287 is hereby vacated and set aside.
- 4. That a certificate of public convenience and necessity is granted to Clair E. Campbell, 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 Appendices A and B attached hereto and made a part hereof.
- 5. 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 99, may result in a cancellation of the operating authority granted by this decision.



Commissioners

b. Within sixty days after the effective date hereof, and on not less than five 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 316 day

of Mullimber, 1953.

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Clair E. Campbell, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

1. 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.

VEHICLE PARTS, as listed under that heading in Items Nos. 93455 through 94790 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

MISCELLANEOUS COMMODITIES, viz.:

Acids, battery Antennae, radio Anti-freezing compound, Automobile repair creepers or trays, Automobile towing poles, Batteries, electric Blocks, motor
Bolts, iron
Brake, shock absorber or hydraulic system fluid
Bulbs, incandescent
Cable, battery
Cartridges, air filter
Chassis automobile Chassis, automobile Clocks, Compound, sound deadening Drums, empty, used, returning Engines, internal combusition Filters, air Gaskets, Gear, steering Glass, automobile Heads, engine Insulating material, automobile Leather, artificial Lenses, lamp Locks, Mats, floor

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MISCELLANEOUS COMMODITIES, viz.--Contd. Mats, rubber

Moulding, automobile Mufflers, Nuts, brass, bronze, copper or iron Oil, lubricating Pads, soat Paint, liquid, automobile Pallets, Racks, steel, mechanical handling Radiator cores, Radiator covers, guards or shields Radiators, engine cooling Radio receiving sets, automobile Rubber goods, Screws, Separators, battery, spring, bumper Skids, Spark plugs, Springs, motor vehicle Springs, steel Switches, electric Tanks, steel, gasoline Thinning compound, automobile Tires, pneumatic Tire tubes, Tools, automobile Undercoating, Underseal compounds, Upholstery, automobile Washers, steel; Weatherstripping, automobile

BETWEEN:

- A. All points and places in the Los Angeles Basin Territory Excluding Hemet, as described in Appendix B hereto attached.
- B. Los Angeles, on the one hand, and Richmond and San Diego, on the other hand.

The authority hereinabove set forth in Paragraph B does not include the right to render service to, from or between intermediate points.

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

2. IRON or 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.

MISCELLANEOUS COMMODITIES, Viz.: Balls, grinding

BETWEEN:

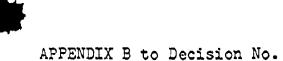
Fremont, on the one hand, and San Francisco, Oakland and Los Angeles Territory, as described in Appendix B hereto attached, on the other hand.

The authority hereinabove set forth in Paragraph 2 does not include the right to render service to, from or between intermediate points.

End of Appendix A

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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 State Highway No. 18; southwesterly along U. S. Highway No. 18 to U. S. Highway No. 18; southwesterly along State 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; westerly and northerly along the shore line of Sunset Boulevard and U. S. Highway No. 101, Alternate; thence northerly along an imaginary line to point of beginning.

LOS ANGELES TERRITORY: Beginning, in the County of Los Angeles, 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 State Highway No. 18; northeasterly along State Highway No. 118 through and including the City of San Fernando; continuing northeasterly and southeasterly along State Highway No. 118 to and including the City of Pasadena; easterly along Foothill Boulevard from the intersection of Foothill Boulevard and Michillinda Avenue to Valencia Way; northerly on Valencia Way to Hillcrest Boulevard; easterly and northeasterly along Grand Avenue to Grand Avenue; easterly and southerly along Grand Avenue to Grand Avenue; easterly on Greystone Avenue to Oak Park Lane; easterly on Oak Park Lane and the prolongation thereof to the west side of the Sawpit Wash; southerly along the Sawpit Wash to the north side of the Pacific Electric Railway right of way; easterly along the north side of the Pacific Electric Railway right of way; easterly along the north side of the San Gabriel River; southerly along the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue in the City of Whittier; southerly on Painter Avenue to Telegraph Road; westerly on Telegraph Road to the west bank of the San Gabriel River to Imperial Highway; westerly on Imperial Highway to State Highway No. 19; southerly along State Highway No. 19 to its intersection with U. S. Highway No. 101, Alternate, at Ximeno Street; southerly along Ximeno Street and its prolongation to the Pacific Ocean; westerly and northerly along the shore line of the Facific 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.