

ORIGINALDecision No. 56367

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CARL MILLER doing)
 business as MISSION DRAYAGE SERVICE)
 to operate a highway common carrier) Application No. 36420
 service to extend existing operation)
 rights to Piru, Moorpark and Thousand)
 Oaks and intermediate points.)

O P I N I O N

Carl A. Miller is a highway carrier engaged in the transportation of property in California pursuant to a certificate of public convenience and necessity and permits issued him by this Commission.

Applicant seeks an order authorizing him to extend service as a highway common carrier for the transportation of general commodities with exceptions from his present southeastern termini at Fillmore, Moorpark and Camarillo to Castaic Junction, Santa Susana and Agoura.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

It appears that applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed operation.

Upon consideration of the allegations of the application and the representations filed pursuant to the above-mentioned notice, the Commission finds that public convenience and necessity require that the application be granted to the extent set forth in the ensuing order. A public hearing is not necessary.

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

The Commission having considered the application and representations filed herein, Now Therefore,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Carl A. Miller, 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 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 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.

Upon the taking effect of the certificate of public convenience and necessity herein granted, the present operating authority of applicant created by Decision No. 46322, dated October 23, 1951, in Application No. 31856, shall be revoked and canceled.

The effective date of this order shall be ninety days after the date hereof.

Dated at San Francisco, California, this 17th day of MARCH, 1956.

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

General commodities except livestock, petroleum products in bulk in tank trucks, household goods and personal effects, uncrated new furniture and explosives, BETWEEN Paso Robles and Cambria, on the North and Point Mugu (Naval Air Missile Center), Thousand Oaks, Santa Susana and Castaic Junction on the South. Service is authorized at intermediate points along the several routes as hereafter set forth and includes the following off route points: Camp Roberts, Camp San Luis Obispo, Avila, Betteravia, Casmalia, Garey, Sisquoc, Camp Cook, Los Olivos, Wheeler Hot Springs, Saticoy, Hollywood Beach and Hueneme.

ROUTES:

- (a) Between Paso Robles and Thousand Oaks, U. S. Highway 101.
- (b) Between Cambria and San Luis Obispo, State Highway No. 1.
- (c) Between Cambria and Paso Robles, State Highway No. 41.
- (d) Between Pismo Beach and Santa Maria, State Highway No. 1, and unnumbered County Road.
- (e) Between Santa Maria and Las Cruces, State Highway No. 1.
- (f) Between Lompoc and Santa Barbara, State Highway No. 150.
- (g) Between Junction of U. S. Highway Nos. 101 and 101A north of Oxnard and Naval Air Missile Center, U. S. Highway 101A.
- (h) Between Camarillo and Fillmore via Moorpark, State Highways Nos. 118 and 23.
- (i) Between Castaic Junction (the junction of U. S. Highway No. 99 and State Highway No. 126) and Ventura, State Highway No. 126.
- (j) Between Saticoy and Santa Susana, State Highway No. 118.
- (k) Between Santa Paula and Carpinteria, State Highway No. 150.
- (l) Between Ventura and Wheeler Hot Springs, U. S. Highway No. 399.
- (m) Off route points may be served by the most appropriate route or routes.

Issued by California Public Utilities Commission.

Decision No. 56367, Application No. 36420.