

Decision No. 56320

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
B & L TRUCK & TRANSFER CO., a corporation,	)	
for a certificate of public convenience	)	
and necessity to operate as a highway	)	
common carrier of limited commodities	)	Application No. 36280
between various points and places in	)	
Southern California, pursuant to	)	
Sections 1063-1064 of the Public Utilities	)	
Code.	)	

Glanz & Russell, by R. Y. Schureman, for applicant;  
A. R. Rander, for Desert Express, protestant;  
John B. Robinson, for Southern California Freight Forwarders & Southern California Freight Lines, and Lloyd R. Guerra, for Western Truck Lines, Ltd., interested parties.

O P I N I O N

B & L Truck & Transfer Co., a corporation, 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 limited commodities between Southern California points south of Ventura and Bakersfield.

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 6, 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 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 B & L Truck & Transfer 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 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 17th  
day of MARCH, 1958.

*Edmund G. ...*  
President  
*...*  
*...*  
*...*

Commissioners

B & L Truck & Transfer Co., by the certificate of public convenience and necessity granted in the decision noted in the margin is authorized to transport:

1. BRICK, BLOCKS, SLABS, TILE OR RELATED ARTICLES, as listed under that heading in Items Nos. 15170 through 15535 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
2. BUILDING METAL WORK, INCLUDING ROOF TRIMMINGS OR GUTTERING OR VENTILATORS, as listed under that heading in Items Nos. 16885 through 18260 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
3. BUILDING OR PAVING MATERIALS, MISCELLANEOUS, as listed under that heading in Items Nos. 15860 through 16870 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
4. BUILDING WOODWORK OR SHIPS' JOINER WORK, WOODEN, as listed under that heading in Items Nos. 18265 through 18821 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
5. ELECTRICAL APPLIANCES OR EQUIPMENT, OR PARTS NAMED, as listed under that heading in Items Nos. 34020 through 35430 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
6. FURNITURE, as listed under that heading in Items Nos. 44050 through 44210 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
7. INSULATING MATERIAL, as listed under that heading in Items Nos. 53170 through 53470 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
8. MACHINERY OR MACHINES, OR PARTS NAMED, as listed under that heading in Items Nos. 58470 through 67390 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
9. ROOFING OR SIDING, OR ROOFING OR SIDING MATERIALS, as listed under that heading in Items Nos. 83530 through 83770 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.

Issued by California Public Utilities Commission.

Decision No. 56370, Application No. 36280.

10. TILE OR TILING, FACING OR FLOORING, OR FACING COVE OR MOLDING, as listed under that heading in Items Nos. 89470 through 89630 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
11. TOOLS, OR PARTS NAMED, as listed under that heading in Items Nos. 89950 through 91970 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof.
12. MISCELLANEOUS COMMODITIES, VIZ.:  
Air conditioning units;  
Booths, telephone;  
Poles, wooden;  
Refrigerators, store display,  
counter or show case;  
Wire.

## BETWEEN:

- A. All points and places within a 20-mile radius of the City of Los Angeles, including Los Angeles.
- B. Between the points designated in paragraph A above, on the one hand, and points on or within 20 miles laterally of the following highways, including points within 20 miles of the terminals named, on the other hand:
  - (1) Blythe, via U.S. Highways 60 and 70;
  - (2) San Bernardino, via U.S. Highway 66;
  - (3) Long Beach, via Long Beach Boulevard;
  - (4) San Diego, via U.S. Highways 101, 101 alternate and 101 Bypass;
  - (5) Ventura via U.S. Highways 101 and 101 alternate;
  - (6) El Centro, via U.S. Highway 99;
  - (7) Palmdale via U.S. Highway 6;
  - (8) Bakersfield, via U.S. Highway 99.

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