

ORIGINAL

Decision No. 56435

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PROGRESSIVE )  
TRANSPORTATION COMPANY to )  
operate a highway common carrier) )  
service. )  
\_\_\_\_\_ )

Application No. 36022

O P I N I O N

Progressive Transportation Company, 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 general commodities between various points throughout the State.

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 Progressive Transportation Company, 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 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 1st day of April, 1958.

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

## APPENDIX A                      PROGRESSIVE TRANSPORTATION COMPANY    Original Page 1

Progressive Transportation Company, a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

1. CONDUITS, PIPE, SMOKESTACKS, TUBING OR FITTINGS, OTHER THAN CLAY, CONCRETE OR EARTHEN, as listed under that heading in Items Nos. 29220 through 30440 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
2. IRON OR STEEL, as listed under that heading in Items Nos. 53610 through 55290 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
3. MACHINERY, OR MACHINES, OR PARTS NAMED, as listed under that heading in Items Nos. 58470 through 67391 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
4. TANKS, as listed under that heading in Items Nos. 88710 through 89300 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
5. MISCELLANEOUS COMMODITIES, VIZ.:
  - Cable, electric
  - Ditchers or terracers, farm
  - Generators, electric and parts
  - Piling, cement, concrete, steel or wooden
  - Poles, wooden
  - Reels, electric cable
  - Rods, aluminum
  - Timbers, wooden
  - Trucks, lift

Issued by California Public Utilities Commission

Decision No. 56435, Application No. 36022.

between the following points and places:

- (a) Between all points and places which lie in the following described territory:

The area embraced by the following boundary: 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. 118; 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 Hillcrest Boulevard to Grand Avenue; easterly and southerly along Grand Avenue to Greystone 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 to Buena Vista Street; south and southerly on Buena Vista Street to its intersection with Meridian Street; due south along an imaginary line to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; south-easterly 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; southerly along 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 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.

Issued by California Public Utilities Commission

Decision No. 56435, Application No. 36022.

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APPENDIX A            PROGRESSIVE TRANSPORTATION COMPANY    Original Page 3

- (b) Between the points and places set forth in subparagraph (a), on the one hand, and Ventura, on the other hand, and the intermediate point of Port Hueneme and no other intermediate points.

End of Appendix A

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Decision No. 56435, Application No. 36022.