

ORIGINAL

Decision No. 50342

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
B. Robert Alcott and Vernon McPhaden,	)	
doing business as ALMAC SYSTEM TRANSPORT	)	Application No. 36029
to operate a highway common carrier	)	
service.	)	

O P I N I O N

B. Robert Alcott and Vernon McPhaden, doing business as Almac System Transport, are engaged in the transportation of property in California pursuant to permits issued them by this Commission.

Applicants seek an order authorizing them to conduct service as a highway common carrier for the transportation of general commodities in the Los Angeles area.

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

It appears that applicants possess 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.

Applicants are 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 B. Robert Alcott and Vernon McPhaden, authorizing them 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, applicants shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicants are placed on notice that they will be required, among other things, to file annual reports of their 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, applicants 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

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Appendix A            B. ROBERT ALCOTT and VERNON McPHADEN    Original Page 1

B. Robert Alcott and Vernon McPhaden, doing business as Almac System Transport, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

Calking Compounds  
Compounds: cleaning, scouring or washing  
Earth, infusorial  
Fittings: pipe, brass  
Lead: bar, ingot or sheet  
Lead: red, sublimed or white  
Litharge  
Paper, waxed  
Rods, brass  
Soap  
Solder  
Zinc Oxide

between Los Angeles and Long Beach, including the intermediate points of Inglewood, Huntington Park, and South Gate and no other intermediate points.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 56344, Application No. 36029.