

ORIGINAL

Decision No. 56591

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FLOUR, INC., a corporation, to)
operate a Highway Common Carrier)
Service.)
_____)

Application No. 36231

O P I N I O N

Flour, Inc., a California corporation, is engaged in the transportation of property in California pursuant to a Radial Highway Common Carrier permit issued by this Commission.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of general commodities, produced for or by the food industry in the Los Angeles Drayage Area and between the Los Angeles Drayage Area and certain cities in the Los Angeles Territory, Orange County and San Diego County.

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

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. It appears that the applicant possesses the experience,

equipment, personnel and financial resources to institute and maintain the operation authorized herein. 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 Flour, Inc., 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, Flour, Inc. shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, Flour, Inc. shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, Flour, Inc. 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 to the public, Flour, Inc. 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 22nd day of April, 1958.

Ed. B. ...
 President

Ray ...

...

E. ...

...
 Commissioners

(A) Flour, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the commodities hereinafter set forth in paragraph (B) between all points and places as follows:

- (1) From, to and between all points and places in the Los Angeles Drayage Area as described as follows:

Los Angeles Drayage area zones 1-A, 1-B, 1-C, 1-D, 10, 11, 12 and 17 as described in Items Nos. 30, 31, 32 and 33 on Second Revised Page 9, Original Page 10, First Revised Page 11 and Original Page 12 of Minimum Rate Tariff No. 5.

- (2) From and to all points and places in the Los Angeles Drayage Area, as above described, on the one hand, and the following cities, on the other hand: Long Beach, Burbank, Culver City, Van Nuys, Glendale, San Pedro, San Diego, Montebello and Santa Ana, serving no intermediate points.

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(B) Flour, Inc., is authorized to transport the following commodities:

1. BOXES OR CRATES, INCLUDING FIBREBOARD, PAPER OR PULPBOARD BOTTLES OR CANS, as listed under that heading in Items Nos. 13845 through 14646 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
2. CANDY OR CONFECTIONERY, as listed under that heading in Items Nos. 20050 through 20200 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
3. CARRIERS, SHIPPING, as listed under that heading in Items Nos. 20660 through 21251 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
4. CEREAL FOOD PREPARATIONS, as listed under that heading in Items Nos. 21765 through 21900 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
5. CHEMICALS, as listed under that heading in Items Nos. 21980 through 26620 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
6. CONTAINERS, SHEET IRON OR STEEL, SET UP (WITH OR WITHOUT THEIR EQUIPMENT OF BAILS, HANDLES, COVERS, BUNGS OR NOZZLES), as listed under that heading in Items Nos. 30530 through 30565 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.

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7. DAIRY PRODUCTS, as listed under that heading in Items Nos. 31770 through 31930 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
8. FEED, ANIMAL OR POULTRY, as listed under that heading in Items Nos. 37030 through 37691 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
9. FERTILIZERS, as listed under that heading in Items Nos. 535, 540 and 550 of Pacific Southcoast Freight Bureau Exception Sheet No. 1-S, Cal. P.U.C. No. 193, J. P. Haynes, Agent, on the issue date thereof and Supplement No. 34 thereto.
10. FOODSTUFFS, BEVERAGES OR BEVERAGE PREPARATIONS, NOT NAMED IN OTHER MORE SPECIFIC GROUPS, as listed under that heading in Items Nos. 39410 through 41090 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
11. FRUITS OR VEGETABLES, DEHYDRATED, DRIED OR EVAPORATED, as listed in Items Nos. 41565 through 41790 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
12. GRAIN PRODUCTS, as listed in Items Nos. 46955 through 47210 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
13. GREASE, as listed in Items Nos. 47765 through 47870 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.

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14. GUMS, as listed in Items Nos. 47900 through 48140 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
15. INSECTICIDES OR FUNGICIDES, AGRICULTURAL, as listed in Items Nos. 52960 through 53110 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
16. INSECTICIDES, INSECT REPELLENTS OR VERMIN EXTERMINATORS, OTHER THAN AGRICULTURAL INSECTICIDES, as listed in Items Nos. 53125 through 53142 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
17. MEATS, COOKED, CURED, FRESH OR PRESERVED; LARD, LARD SUBSTITUTES; RENDERED PORK FATS; OR DRESSED POULTRY, as listed in Items Nos. 67780 through 68030 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
18. OILS, NOT NAMED IN OTHER MORE SPECIFIC GROUPS, as listed in Items Nos. 72305 through 72670 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
19. PAPER, as listed in Items Nos. 75260 through 75871 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
20. PAPER ARTICLES, as listed in Items Nos. 75890 through 76980 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.

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21. PASTE, as listed in Items Nos. 77050 through 77110 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
22. ROOTS OR SPICES, as listed in Items Nos. 83785 through 84010 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
23. SEEDS, as listed in Items Nos. 84760 through 85380 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
24. MISCELLANEOUS COMMODITIES, VIZ.:
 - Bottles, glass
 - Casein
 - Cellulose
 - Cellulose film
 - Cellulose film products
 - Compounds, cleaning, scouring or washing
 - Dextrine
 - Lecithin, oil concentrate
 - Resins
 - Soap
 - Starch

End of Appendix A.

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