

Decision No. 56710**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of EDWARD R. POOLE, SR.,
 doing business as POOLE TRUCK LINES,
 for a certificate of public conven-
 ience and necessity to operate as a
 Highway Common Carrier of property,
 between points and places in the
 State of California, as designated
 herein.

Application No. 36501
 (Amended)

Vincent Matthew Smith, for applicant.

O P I N I O N

This proceeding was commenced by Edward R. Poole, Sr., doing business as Poole Truck Lines. On February 4, 1958, prior to the public hearing in this matter, a motion was herein filed requesting the substitution of Poole Truck Lines, Inc., a corporation, as applicant. This motion averred that this Commission had, in May of 1956, approved the transfer from Poole to the corporation of the permits under which Poole operated and that the corporation had continuously operated the business from the date of said transfer. Therefore, good cause appearing, it is ordered that Poole Truck Lines, Inc., be substituted as applicant herein.

Poole Truck Lines, Inc., is engaged in the transportation of property in California pursuant to permits issued by this Commission.

It seeks an order authorizing it to conduct service as a highway common carrier for the transportation of general commodities between various points in Southern California.

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 February 14, 1958 before Examiner Donald B. Jarvis.

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, modified or abolished 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 Poole Truck Lines, 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 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 Los Angeles, California, this 20th day of May, 1958.

[Signature]
President

[Signature]

[Signature]

[Signature]

Commissioners

Poole Truck Lines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

1. ATHLETIC, GYMNAS TIC OR SPORTING GOODS, as listed under that heading in Items Nos. 6945 through 8080 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
2. 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.
3. 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.
4. INSULATING MATERIALS, as listed under that heading in Items Nos. 53165 through 53470 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
5. PAINTS, PAINT MATERIAL OR PUTTY, as listed under that heading in Items Nos. 74750 through 75200 of Western Classification No. 76, J. P. Hackler, Alternate Agent, on the issue date thereof.
6. MISCELLANEOUS COMMODITIES, VIZ.:
Buffing or polishing compounds
Compounds, cleaning, scouring or washing
Soap
Tires, rubber
Tire treads
Tire tubes

Issued by California Public Utilities Commission.

Decision No. 50716, Application No. 36501.

BETWEEN:

- (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; southeasterly 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. 50719, Application No. 36501.

- (b) Between the points and places set forth in subparagraph (a) and San Diego, Pomona, Riverside and San Bernardino. Such authority does not include the right to render service to, from or between intermediate points.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 50719, Application No. 36501.