

Decision No. 50845**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 JOE WEST, an individual doing busi- )  
 ness as NIPTON TRUCK SERVICE, and )  
 NIPTON TRUCK SERVICE, INC., a cor- )  
 poration, (a) to transfer a certif- )  
 icate of public convenience and )  
 necessity, (b) to issue stock of )  
 corporation, and (c) for authority )  
 to extend operations as a highway )  
 common carrier. )

Application No. 39896

O P I N I O N

Joe West, doing business as Nipton Truck Service, and Nipton Truck Service, Inc., a corporation, request authority (a) to transfer a certificate of public convenience and necessity, (b) to issue stock and (c) for authority to extend service as a highway common carrier.

Joe West is presently authorized to transport property between the Los Angeles Basin Territory, on the one hand, and Nipton and Goffs and all points within 25 miles of that certain unnumbered highway between Nipton and Goffs, on the other hand. He, with a business associate, Charles Stephens, has caused a corporation to be formed by the name of Nipton Truck Service, Inc., to which the certificated operations are to be transferred. The corporation requests authority to issue an aggregate of \$5,000 of its \$10 par value stock to Joe West and Charles Stephens, in the respective amounts of \$3,000 and \$2,000, for the purpose of financing the cost of equipment and providing working capital.

Upon the transfer the corporation requests authority to extend the certificated operations as follow:

- a. To serve locally between Nipton and Goffs.

- b. To serve within 35 miles of that certain unnumbered highway between Nipton and Goffs by way of Ivanpah and Barnwell instead of within the present 25-mile authority.
- c. To serve between the said points, on the one hand, and points on the connecting routes to Los Angeles Territory (excluding Los Angeles Territory), on the other hand; and,
- d. To traverse the present routes in either direction.

In justification applicants allege that the general area is sparsely settled with no other transportation service available.

After consideration the Commission is of the opinion and so finds that: (a) public convenience and necessity require the extension of service as herein proposed; and (b) that the proposed issue of stock should be approved, that the money, property or labor to be procured or paid for through issue of stock is reasonably required for the purposes set forth and that such purposes are not in whole or in part reasonably chargeable to operating expense or to income. A new certificate, including the existing operative right and the proposed extensions, will be granted to applicant corporation. A public hearing does not appear to be necessary.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

1. That the operative rights created by Decision No. 56134, dated January 21, 1958, in Application No. 39584, are hereby canceled and the tariffs filed with this Commission in the name of Joe West, doing business as Nipton Truck Service, are hereby canceled.
2. That a certificate of public convenience and necessity is hereby granted to Nipton Truck Service, Inc., authorizing the

transportation of property as a highway common carrier between the points and over the routes set forth in Appendix A attached hereto and made a part hereof.

3. That in providing service pursuant to the certificate herein granted, Nipton Truck Service, Inc., shall comply with and observe the following 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 applicant shall establish the service authorized in paragraph (2) herein.
- c. On not less than ten days' notice to the Commission and to the public, effective concurrently with the establishment of service pursuant to the certificate granted in paragraph (2) herein applicant may either adopt and amend the tariffs on file in the name of Joe West or may file in triplicate, and concurrently make effective, appropriate tariffs satisfactory to the Commission.

4. That Nipton Truck Service, Inc., after the effective date hereof and on or before September 1, 1958, may issue not exceeding \$5,000 par value of its capital stock for the purposes set forth in the preceding opinion.

5. That Nipton Truck Service, Inc., shall file with the Commission monthly reports as required by General Order No. 24-A, which order, in so far as applicable, is hereby made a part of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 17<sup>th</sup> day of June, 1958.

John E. Mitchell  
President

Paula L. [unclear]

[unclear]

[unclear]

Theodore [unclear]  
Commissioners

Nipton Truck Service, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin is authorized to transport general commodities between:

1. Nipton and Goffs and all points within 35 miles of that certain unnumbered highway between Nipton and Goffs by way of Ivanpah and Barnwell.
2. Los Angeles Basin Territory, as defined in Item No. 270-A of Minimum Rate Tariff No. 2, on the one hand, and Nipton and Goffs and all points within 35 miles of that certain unnumbered highway between Nipton and Goffs by way of Ivanpah and Barnwell, on the other hand.
3. Nipton and Goffs and all points within 35 miles of that certain unnumbered highway between Nipton and Goffs by way of Ivanpah and Barnwell, on the one hand, and points and places located on U.S. Highway 66 between Los Angeles and Essex, and points and places on U. S. Highway 91 between Barstow and Lakeview, on the other hand.

In providing the above service applicant shall conduct operations over one or more of the following routes:

1. Between Los Angeles and Essex over U. S. Highway 66.
2. Between Barstow and Lakeview over U. S. Highway 91.
3. Between Lakeview and Essex over unnumbered highway by way of Nipton, Ivanpah, Barnwell and Goffs.
4. Using all connecting highways in the said Los Angeles Basin Territory.

End of Appendix A

Issued by the California Public Utilities Commission.

Decision No. 56845, Application No. 39896.