

Decision No. 58631**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MONSON TRUCK CO., a)
 corporation, to be substituted as)
 the applicant to operate a highway)
 common carrier service in lieu of)
 C. J. Monson, doing business as C.)
 J. Monson Truck Co.)

Application No. 36023
 (Amended)

O P I N I O N

This application was filed by C. J. Monson doing business as C. J. Monson Truck Co. On March 27, 1959, the Monson Truck Co., a California corporation, filed a request that it be substituted as the applicant herein. The request averred that on January 27, 1957, Mr. Monson conveyed to the corporation all of the assets of the business which he conducted as an individual and that the corporation has continuously operated the business from the date of said transfer. Mr. Monson is the sole shareholder of the corporation. Therefore, good cause appearing, it is hereby directed that Monson Truck Co., a corporation, be substituted as applicant herein.

Monson Truck Co. 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 places in the State of California.

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 modified or canceled 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 Monson Truck Co., 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 16th day of June, 1959.

[Signature]
 President

[Signature]

[Signature]

 Commissioners

Monson Truck Co., a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

- (a) ALUMINUM, as listed under that heading in Items Nos. 5370 through 5870 of Western Classification No. 76, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof.
- (b) 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, Tariff Publishing Officer, on the issue date thereof.
- (c) IRON OR STEEL, as listed under that heading in Items Nos. 53610 through 55290 of Western Classification No. 76, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof.
- (d) LEAD, as listed under that heading in Items Nos. 56140 through 56430 of Western Classification No. 76, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof.
- (e) 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, Tariff Publishing Officer, on the issue date thereof.
- (f) PETROLEUM OR PETROLEUM PRODUCTS, INCLUDING COMPOUNDED OILS OR GREASES HAVING A PETROLEUM BASE, in packages, as listed under that heading in Items Nos. 77230 through 77340 of Western Classification No. 76, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof.
- (g) ROOFING OR SIDING, OR ROOFING OR SIDING MATERIALS, as listed under that heading in Items Nos. 83530 through 83770 of Western Classification No. 76, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof.
- (h) TANKS, as listed under that heading in Items Nos. 88710 through 89300 of Western Classification No. 76, J. P. Hackler, Tariff Publishing Officer, on the issue date thereof.

Issued by California Public Utilities Commission

Decision No. 58601, Application No. 36023.

- (i) MISCELLANEOUS COMMODITIES, VIZ:
Pontoons, airplane
Pontoons, steel

between the following points:

1. Los Angeles on the one hand and on the other hand that territory starting at the northerly junction of U. S. Highways 101E and 101W (4 miles north of La Jolla); thence easterly to Miramar on State Highway No. 395; thence southeasterly to Lakeside on the El Cajon-Ramona Highway; thence southerly to Bostonia on U. S. Highway No. 80; thence southeasterly to Jamul on State Highway No. 94; thence due south to the International Boundary Line, west to the Pacific Ocean and north along the coast to point of beginning.
2. Fontana on the one hand and on the other hand that territory starting at the northerly junction of U. S. Highways 101E and 101W (4 miles north of La Jolla); thence easterly to Miramar on State Highway No. 395; thence southeasterly to Lakeside on the El Cajon-Ramona Highway; thence southerly to Bostonia on U. S. Highway No. 80; thence southeasterly to Jamul on State Highway No. 94; thence due south to the International Boundary Line, west to the Pacific Ocean and north along the coast to point of beginning.
3. The authority set forth herein does not include the right to render service to, from or between intermediate points.

Issued by California Public Utilities Commission

Decision No. 58621, Application No. 36023.