

**ORIGINAL**

Decision No. 60033

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 WILLIAM P. BROWN for authority to sell )  
 all of his interest in certain operative )  
 rights and personal property, and )  
 WILLIAM P. BROWN, JR. and ROBERT F. )  
 BROWN, as copartners dba BEEKAY FILM )  
 DELIVERY, to purchase said interest in )  
 said operative rights and personal )  
 property. )

Application No. 42075

O P I N I O N

By this application authority is sought by William P. Brown to sell, and by William P. Brown, Jr., and Robert F. Brown to purchase, all of the interest of said William P. Brown in certain operative rights and personal property.

The three persons above named are copartners, doing business as Beekay Film Delivery, in the transportation, as a highway common carrier, of motion picture film and accessories necessary or incidental to the exhibition of motion pictures, between numerous points in the Los Angeles area. Said operations are conducted under certificates granted by this Commission in Decisions Nos. 40302 and 42329, dated May 20, 1947 and December 31, 1948, respectively.

In addition to William P. Brown's interest in the above-mentioned operative rights, transfer is proposed of his right, title and interest in four motor vehicles and certain other equipment utilized by applicants in performing the above-described transportation services. The consideration involved in the proposed transfer is \$6,000. According to the application, the purchase price would be paid in installments of \$100 per month, plus interest at six percent

per annum. Authority is also sought herein for execution of a promissory note which would reflect the foregoing terms of payment.

Statements attached to the application indicate that the financial condition of the purchasers is satisfactory.

After consideration the Commission is of the opinion and so finds that the proposed transfer would not be adverse to the public interest. The issuance of the proposed promissory note will also be approved. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights or equipment.

The operating right herein authorized to be transferred will be restated in the appendix form now in use.

William P. Brown, Jr. and Robert F. Brown 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 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

Application having been filed and the Commission being of the opinion that the application should be granted,

IT IS ORDERED:

1. That on or before November 1, 1960, William P. Brown may sell and transfer, and William P. Brown, Jr. and Robert F. Brown, as copartners doing business as Beekay Film Delivery, may purchase and

acquire the operative rights and property referred to in the application, as more specifically set forth in Appendix A, hereto attached.

2. That within thirty days after the consummation of the transfer herein authorized, William P. Brown, Jr. and Robert F. Brown shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. That on not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of such transfer, applicants shall supplement or reissue the tariffs on file with the Commission naming rates, rules and regulations governing the operations here involved to show that William P. Brown, William P. Brown, Jr. and Robert F. Brown, a copartnership doing business as Beekay Film Delivery have withdrawn or canceled, and William P. Brown, Jr. and Robert F. Brown, a copartnership doing business as Beekay Film Delivery, have adopted or established as their own, said rates, rules and regulations. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80.

William P. Brown, Jr. and Robert F. Brown, a copartnership doing business as Beekay Film Delivery, shall file with the Commission a report, or reports, as required by General Order No. 24-A, which order, insofar as applicable, is made a part of this order.

4. That upon payment of the minimum fee required by Section 1904(b) of the Public Utilities Code, which fee is \$25.00, William P. Brown, Jr. and Robert F. Brown are authorized to issue a promissory note bearing interest at 6 percent annually, substantially in the form set forth in Exhibit E attached to the application, in the

principal amount of not to exceed \$6,000, for the purpose of acquiring the operative rights and personal property herein authorized to be transferred, it being the opinion of the Commission that the money, property or labor to be procured or paid for by such note is reasonably required for said purpose and that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income.

Except as provided in numbered Paragraph 4 above, the effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California this 3<sup>rd</sup> day of May, 1960.

[Signature]  
President

[Signature]

[Signature]

[Signature]

Theodore J. J. J.  
Commissioners

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

**PAID**

MAY 6 1960

BY \_\_\_\_\_

Appendix A

WILLIAM P. BROWN, JR. AND Original Page 1  
ROBERT F. BROWN  
dba  
BEEKAY FILM DELIVERY

William P. Brown, Jr. and Robert F. Brown, copartners doing business as Beekay Film Delivery, by the certificate referred to in the decision noted in the margin, are authorized to transport motion picture films and accessories necessary or incidental to the exhibition of motion pictures, such accessories being limited to projection machinery and parts therefor, advertising matter, electrical lighting effects, advertising slides, and tickets,

between Long Beach, Wilmington, San Pedro, Lomita, Torrance, Compton, Gardena, Lynwood, Home Gardens, Huntington Park, Redondo Beach, Hermosa Beach, Manhattan Beach, El Segundo, Hawthorne, Inglewood, Clearwater, Eynes, Bellflower, Artesia, Norwalk, Downey, Los Angeles and intermediate points.

In performing said transportation, William P. Brown, Jr. and Robert F. Brown are authorized to operate over the following described routes:

Route No. 1

Beginning at the intersection of Washington Boulevard and Vermont Avenue (Los Angeles), south on Vermont Avenue, west on Slauson Avenue, south on West Boulevard, southwesterly on Redondo Boulevard to Manchester Avenue, west on Manchester Avenue to Sepulveda Boulevard, thence south on Sepulveda Boulevard to Torrance Boulevard.

Also, beginning at the intersection of El Segundo Boulevard and Hawthorne Boulevard, thence west on El Segundo Boulevard to Sepulveda Boulevard.

Also, east on Torrance Boulevard, north on Western Avenue, east on 190th Street, north on Vermont Avenue, west on Gardena Boulevard, north on Crenshaw Boulevard, west on Compton Boulevard, north on Hawthorne Boulevard, east on Manchester Avenue, north on Western Avenue, east on Slauson Avenue, north on Vermont Avenue to point of beginning.

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Route No. 2

Beginning at the intersection of Washington Boulevard and Vermont Avenue (Los Angeles), south on Vermont Avenue, east on Jefferson Street, south on Figueroa Street, east on Firestone Boulevard, south on Alameda Street, east on Compton Boulevard, south on Long Beach Boulevard, east on Olive Street (Compton), south on Atlantic Avenue, west on South Street, south on Dairy Avenue (North Long Beach), west on Market Street, south on Long Beach Boulevard, southeasterly on Carson Street to Atlantic Avenue, south on Atlantic Avenue, east on Anaheim Street, south on Redondo Avenue, east on 7th Street (Long Beach) and Garden Grove Avenue to Los Alamitos Road, north on Los Alamitos Road, east on Bryant Avenue to Los Alamitos United States Naval Air Station.

Also beginning at the intersection of Bay Boulevard and Garden Grove Avenue, thence south and southeasterly on Bay Boulevard to Seal Beach, thence northwesterly on 2nd Street to the City of Long Beach, thence west on U.S. Highway 101-A to Santa Fe Avenue, south on Santa Fe Avenue to Anaheim Street, west on Anaheim Street to Avalon Boulevard (Wilmington), south on Avalon Boulevard to "3" Street, southerly and westerly on "3" Street and Wilmington-San Pedro Road to San Pedro.

Also beginning at the intersection of Wilmington-San Pedro Road and Gaffey Street, north on Gaffey Street, northwesterly on Anaheim Street, west on U.S. Highway 101-A, north on Narbonne Avenue and Arlington Avenue to Western Avenue, north on Western Avenue, east on Slauson Avenue, north on Vermont Avenue to point of beginning.

Route No. 3

Beginning at the intersection of Washington Boulevard and Vermont Avenue (Los Angeles), south on Vermont Avenue, east on Jefferson Street, south on Figueroa Street, east on Slauson Avenue, south on Compton Avenue, east on Florence Avenue to Pacific Boulevard (Huntington Park), east on Gage Avenue to Atlantic Avenue (Bell), north on Atlantic Avenue to Slauson Avenue (Maywood), east on Slauson Avenue to Eastern Avenue, south on Eastern Avenue to Florence Avenue (Bell Gardens), east on Florence Avenue to Downey Avenue, southwesterly on Downey Avenue to Firestone Boulevard (Downey), thence via Firestone Boulevard to Norwalk Boulevard, thence south on Norwalk Boulevard, west on Orangethorpe Avenue, north on Bellflower, Boulevard to Center Street (Bellflower), west on Center Street to Paramount Boulevard (Hynes), north on Paramount Boulevard to Compton Boulevard (Clearwater), west on Compton Boulevard to Wilmington Avenue (Compton), north on Wilmington Avenue to El Segundo Boulevard

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Appendix A

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dba  
BEEKAY FILM DELIVERY

(Willowbrook), east on El Segundo Boulevard and Burton Avenue to Long Beach Boulevard, north on Long Beach Boulevard to Imperial Highway, west on Imperial Highway to Wilmington Avenue, north on Wilmington Avenue to 103rd Street (Watts), east on 103rd Street, north on Alameda Street, east on Tweedy Boulevard, north on Long Beach Boulevard to Florence Avenue, west on Florence Avenue, north on Compton Avenue, west on Slauson Avenue, north on Figueroa Street, west on Jefferson Street, north on Vermont Avenue to point of beginning.

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