

ORIGINALDecision No. 60870

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ROZAY'S TRANSFER, a corporation,)
 for a certificate of public conven-)
 ience and necessity as a highway)
 common carrier for the transporta-)
 tion of special commodities between)
 points in the Los Angeles Territory,)
 pursuant to Sections 1063-1064 of)
 the Public Utilities Code.)

Application No. 42394

R. Y. Schureman, for applicant.OPINION AND ORDER

By this application, filed June 22, 1960, Rozay's Transfer, a corporation, requests a certificate of public convenience and necessity authorizing it to operate as a highway common carrier for the transportation of special commodities between points in the Los Angeles Territory pursuant to Sections 1063 and 1064 of the Public Utilities Code.

Public hearing was held in Los Angeles on August 16, 1960, before Examiner Rowe, at which time evidence both oral and documentary was adduced and the matter duly submitted for decision. Certificated carriers with which the proposed service is likely to compete were notified, but none appeared in protest.

This applicant which has been acting as a permitted carrier seeks a certificate as a highway common carrier in order to serve the transportation needs of the garment industry in a highly specialized manner. Based upon the evidence of record which fully supports the allegations of the application, the Commission finds that public convenience and necessity require that applicant be

granted the rights of a highway common carrier as applied for. This will be accomplished by the issuance of a certificate of public convenience and necessity defining said rights.

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

A public hearing having been held, and based upon the evidence adduced therein,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is granted to Rozay's Transfer, 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 and insurance requirements of the Commission's General Order No. 100-A. 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 Orders Nos. 99 and 100-A, 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, 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 twenty days after the date hereof.

Dated at San Francisco, California, this 11th day of OCTOBER, 1960.

[Signature] President
[Signature]
[Signature]
[Signature] Commissioners

Applicant, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport the following described special commodities between points in the Los Angeles Territory as described in Item No. 270-3-C of Minimum Rate Tariff No. 2, except shipments which originate in and are destined to points both of which are located in the Los Angeles Drayage Area as described in Items 30 to 33 inclusive of Minimum Rate Tariff No. 5.

A. SPECIAL COMMODITIES which applicant proposes to transport:

1. Textiles including raw materials for weaving.
2. Wearing apparel, except on hangers.
3. Thread, buttons, zippers, buckles, fasteners, and clothing ornaments.
4. Chemicals and dyes used for textile processing,

BETWEEN points in the Los Angeles Territory described as follows:

LOS ANGELES TERRITORY includes that area embraced by the following boundary: Beginning 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

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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.

Applicant shall not transport shipments:

BETWEEN any two points both of which are located in the Los Angeles Drayage Area as described in Items 30 to 33 inclusive of Minimum Rate Tariff No. 5.

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