

ORIGINAL

Decision No. 51287

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SERVICE TRUCK CO., a corporation, for a certificate of public convenience and necessity as a highway common carrier of general commodities between all points in the Los Angeles Basin Territory, pursuant to Sections 1063-1064 of the California Public Utilities Code.

Application No. 42709

Glanz, Russell & Schureman, by R. Y. Schureman,
for applicant.

O P I N I O N

Service Truck Co., a California corporation, is engaged in the transportation of property in California, particularly in and around the Los Angeles Basin Territory, pursuant to permits issued by this Commission.

By the application herein filed with this Commission on September 26, 1960, applicant seeks a certificate of public convenience and necessity for the transportation of general commodities, with exceptions, between points in the Los Angeles Basin Territory.

A public hearing on the application was held before Examiner Kent C. Rogers in Los Angeles on November 17, 1960. Prior to the hearing, applicant served copies of the application on competing highway common carriers and notice of the hearing was also served on said carriers. There were no protests.

Applicant is a California corporation which has acquired the business and assets of Alan S. Priver doing business as Service

Truck Company. Applicant's officers are Alan S. Priver, President, Ray M. Hartley, Vice President, and Thelma Priver, Secretary-Treasurer. Its directors are Alan S. Priver, Ray M. Hartley, and Willard E. Mullikan. Alan S. Priver and Willard E. Mullikan own all of the stock of the company. Each of the directors has had extensive experience in the operation of trucking businesses in California either as an owner or as an operations official.

The applicant called the representatives of two shippers and receivers of commodities who use applicant's services for the transportation of general commodities in substantial volumes between points in the proposed service area. These parties request that applicant be authorized as a highway common carrier in accordance with its application. Applicant had additional witnesses available to support its request, but these witnesses were not called as there was no opposition to the application.

Applicant's vice president testified that applicant has many shippers of general commodities using its services to, from and between all points in the proposed service area and that its volume of business averages over 100,000 lbs. per day.

Applicant's service will be on call daily, except Saturdays and Sundays, between all points and places in the proposed service area.

Applicant proposes to establish a tariff substantially in conformity with rates and charges published in Minimum Rate Tariff No. 2 of this Commission.

Applicant's office, terminal and dock are in Los Angeles. It owns and operates approximately 22 pieces of revenue equipment.

As of September 1, 1960, applicant had total assets valued at \$45,090, liabilities of \$15,090, and a claimed net worth of \$30,000.

The Commission, having considered the matter, is of the opinion and finds and concludes that public convenience and necessity require that applicant be authorized to establish and operate a service as a highway common carrier as hereinafter set forth, and it will be so ordered.

Service Truck Co., a corporation, 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. This monopoly feature may be modified or cancelled 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

An application having been filed, a public hearing having ~~been held~~ thereon, the Commission having found that public convenience and necessity require that applicant be granted the authority it has requested, and based on said finding,

IT IS ORDERED:

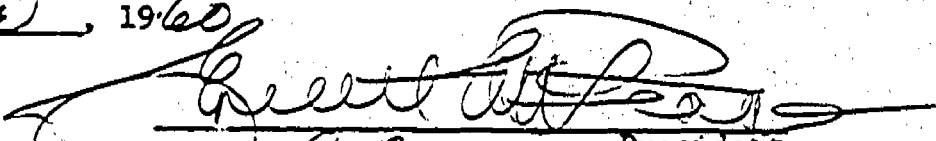
1. That a certificate of public convenience and necessity be and it hereby is granted to Service Truck Co., a corporation, authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, between the points and over the routes as more particularly set forth in Appendix A and Appendix B 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 one hundred twenty 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 twenty days after the date hereof.

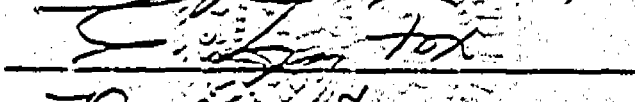
Dated at San Francisco, California, this 28th day of December, 1960

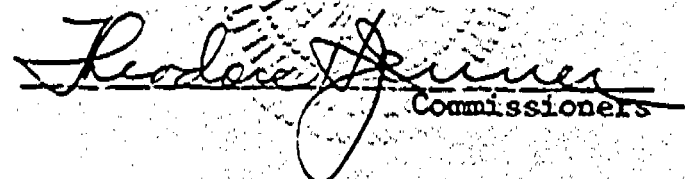


 President









 Commissioners

Service Truck Co., a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities between all points in the Los Angeles Basin Territory as described in Appendix B attached hereto.

Applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.
3. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
5. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
6. Commodities when transported in bulk in dump truck or hopper-type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
8. Logs.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 61287, Application No. 42709.

LOS ANGELES BASIN TERRITORY includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway No. 118, approximately two miles west of Chatsworth; easterly along State Highway No. 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Angeles National Forest Boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U. S. Highway No. 99; northwesterly along U. S. Highway No. 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwestly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U. S. Highway No. 60; southwestly along U. S. Highways Nos. 60 and 395 to the county road approximately one mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the City of San Jacinto; easterly, southerly and westerly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to the right of way of The Atchison, Topeka & Santa Fe Railway Company; southwestly along said right of way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to the county road intersecting U. S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said county road to U. S. Highway No. 395; southeasterly along U. S. Highway No. 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to point of beginning.

Issued by California Public Utilities Commission.

Decision No. 61287, Application No. 42709.