

ORIGINAL

Decision No. 63691

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
AL BLASI to transfer a Certificate )  
of Public Convenience and Necessity )  
to C. R. VONARX and L. R. VONARX, )  
co-partners, doing business as )  
RIVERVIEW LOGGING CO. )

Application No. 44338

OPINION AND ORDER

Blasi Transportation, a corporation, requests authority to sell and transfer and C. R. Vonarx and L. R. Vonarx, doing business as Riverview Logging Co. request authority to purchase and acquire certain highway common carrier operative rights.

The operative rights were granted by Decision No. 43428 dated October 18, 1949, in Application No. 30212 and authorize the transportation of lumber and forest products between various points within the state. The agreed cash consideration is \$500.

The buyers have been engaged in the transportation of lumber since 1946 under authority of a radial permit. They own and operate 32 units of equipment.

It is alleged that the business of the buyers has increased to such a point that they desire to provide their customers with a certificated carrier service.

After consideration the Commission finds and concludes that the buyers have sufficient experience and equipment to provide service pursuant to the certificate herein considered and that the proposed sale will not be adverse to the public interest. A public hearing is not necessary.

C. R. Vonarx and L. R. Vonarx 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 informed in the premises,

IT IS ORDERED that:

1. On or before November 30, 1962, Blasi Transportation is hereby authorized to transfer and sell and C. R. Vonarx and L. R. Vonarx are hereby authorized to purchase and acquire the operative rights granted by Decision No. 43428 dated October 18, 1949, in Application No. 30212.

2. Within thirty days after the consummation of the transfer herein authorized, purchasers 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. Applicants shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the common carrier operations here involved to show that applicant seller has withdrawn or canceled, and applicant buyers have adopted or

established as their own, said rates, rules and regulations. The tariff filings shall be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the consummation of the transfer herein authorized. 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.

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

Dated at San Francisco, California, this 14th day of MAY, 1962.

Orville W. Page  
President

J. L. ...

C. J. Fox

George J. Grover

Fredrick B. ...  
Commissioners