

Decision No. 65370**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 HAROLD HALLMAN, doing business as)
 H. HALLMAN TRANSPORTATION COMPANY,)
 for a certificate of public conven-)
 ience and necessity to institute a)
 highway common carrier service.)

Application No. 45256

O P I N I O N

Harold Hallman, doing business as H. Hallman Transportation Company, requests authority to operate as a highway common carrier for the transportation of general commodities, with the usual exceptions, between Sacramento, Pederson Corner, North San Juan, Camptonville, Indian Valley Outpost, Goodyear's Bar, Downieville and Sierra City.

Applicant is presently providing service between the proposed points as a contract carrier. There is no existing certificated service between said points.

Applicant presently owns and operates two units of equipment and as of December 31, 1962, indicated a net worth in the amount of \$26,031.46. Service from Sierra City to Sacramento would be provided on Monday and Thursday of each week and on Tuesday and Friday in the reverse direction. The proposed rates would be comparable with those set forth in Minimum Rate Tariff No. 2.

After consideration, the Commission finds that public convenience and necessity require the granting of the authority sought. 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

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Harold Hallman authorizing him to operate as a highway common carrier as defined in Section 213 of the Public Utilities Code, between the points set forth in Appendix A attached hereto and made a part hereof.

2. 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 he will be required, among other things, to file annual reports of his 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-B. 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-B, may result in a cancellation of the operating authority granted by this decision.

- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file in the Commission's office in triplicate tariffs satisfactory to the Commission.
- (c) 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 establishment of the service herein authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-A.

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

Dated at San Francisco, California, this 14th day of MAY, 1963.

George J. Grover
President

John P. Mitchell

Fredrick B. Holbeoff

J. Lawrence Burns
Commissioner Everett C. McKeage, doing necessarily absent, did not participate
Commissioners

Harold Hallman, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities as follows:

1. Between Sacramento, Pederson Corner, North San Juan, Camptonville, Indian Valley Outpost, Goodyear's Bar, Downieville and Sierra City.
2. Service may be performed between certificated points via any and all available streets, highways, including all connecting streets and highways.

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 camp outfits, sows, steers, stags, or swine.
4. 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.
5. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Logs.

Issued by California Public Utilities Commission.

Decision No. 65370, Application No. 45256.