

**ORIGINAL**

Decision No. 72016

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of SIGNAL TRUCKING SERVICE, LTD.,  
a corporation, to sell, and  
PORT TERMINAL TRANSPORT, INC., a  
corporation, to buy, a Certificate  
of Public Convenience and Necessity  
as a highway common carrier of  
automobiles. Pub.Util.Code Sec. 851.

Application No. 48957  
(Filed November 15, 1966)

O P I N I O N

Signal Trucking Service, Ltd., a corporation, requests authority to sell and transfer and Port Terminal Transport, Inc., requests authority to purchase and acquire a certificate of public convenience and necessity authorizing the transportation of automobiles as a highway common carrier.

The authority was granted by Decision No. 22927 dated October 2, 1930, in Application No. 16709 and was transferred to Signal pursuant to Decision No. 56936 dated July 8, 1958, in Application No. 40123.

In addition to the certificate herein considered the agreement of sale also includes the transfer of corresponding interstate authority. The agreed cash consideration for both the intrastate and interstate certificate is \$4,000.

Port Terminal Transport, Inc. presently owns and operates sixteen units of equipment. As of September 30, 1966 it indicated a net worth in the amount of \$41,756.99.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred.

Port Terminal Transport, Inc. 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. On or before December 15, 1967, Signal Trucking Service, Ltd. may sell and transfer, and Port Terminal Transport, Inc. may purchase and acquire, the operative rights and property referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Port Terminal Transport, Inc. 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. Port Terminal Transport, Inc. shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the common carrier operations herein to show that it has adopted or established, as its own, said rates and rules. 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-A.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, Port Terminal Transport, Inc. shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

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

Dated at San Francisco, California, this 15<sup>th</sup>  
day of FEBRUARY 1967.

*Edith E. Mitchell*  
President  
*William B. Beaud*  
Auditor  
*William Aguirre Jr.*  
*Alfred P. Mousley*  
Commissioners