

Decision No. 83913

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
INTERNATIONAL AIR COURIER, INC. to
purchase and of WILLIAM H. WORTH to
sell, a certain certificate of
public convenience and necessity.

Application No. 54956
(Filed June 10, 1974)

O P I N I O N

William H. Worth requests authority to sell and transfer, and International Air Courier, Inc. requests authority to purchase and acquire, a certificate of public convenience and necessity authorizing operations as a freight forwarder.

International Air Courier, Inc. is presently operating as a freight forwarder of general commodities in interstate and foreign commerce. William H. Worth presently holds authority as a freight forwarder and as an express company between points and places in California pursuant to a certificate of public convenience and necessity issued by Decision No. 60691. The cash consideration is \$13,750. A balance sheet as of March 31, 1974 for International Air Courier, Inc. indicated a net worth in the amount of \$673,948.

No protests have been received.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and concludes that it should be authorized. We further find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment. A public hearing is not necessary. The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently held by William H. Worth and the issuance of a certificate in appendix form to International Air Courier, Inc.

International Air Courier, Inc. is 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 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 March 3, 1975, William H. Worth may sell and transfer the operative rights referred to in the application to International Air Courier, Inc.

2. Within thirty days after the transfer the purchaser shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer.

3. Purchaser shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the freight forwarder operations transferred to show that it has adopted or established, as its own, the rates and rules. The tariff filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the transfer. 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. 117-Series. Failure to comply with the provisions of General Order No. 117-Series may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the transfer, the purchaser 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.

5. In the event the transfer authorized in paragraph 1 hereof is completed, a certificate of public convenience and necessity is granted to International Air Courier, Inc. to operate as a freight forwarder, as defined in Section 220 of the Public Utilities Code, as particularly set forth in Appendix A attached hereto and made a part hereof.

6. The certificate of public convenience and necessity granted by Decision No. 60691 is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3.

7. Purchaser shall comply with the requirements of the Commission's General Order No. 84-Series for the transportation of collect on delivery shipments. If purchaser elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

8. Purchaser shall comply with the requirements of the Commission's General Order No. 100-Series if purchaser intends to operate a motor vehicle under this authority.

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

Dated at San Francisco, California, this 20th
day of DECEMBER, 197 .

Vernon L. Stephens
President
William Synovis Jr.
Thomas Moran
Robert E. McIlwain
Commissioners

International Air Courier, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as an express corporation as defined in Section 219 of the Public Utilities Code, and a freight forwarder as defined in Section 220 of the Public Utilities Code, from, to, and between all points situated on and within ten miles of the following routes:

- Route 1. Between Los Angeles and San Bernardino via U.S. Highway 66.
- Route 2. Between Los Angeles and the United States-Mexican border at Calexico via State Highway 60 to its intersection with Interstate Highway 10 at Beaumont, thence via Interstate Highway 10 to its intersection with State Highway 86 at Indio, thence via State Highway 86, and including alternate route via State Highway 111 from its intersection with Interstate Highway 10 approximately 2 miles west of Whitewater to Calexico, and also including off-line route via State Highway 62 from its intersection with Interstate Highway 10 approximately 2 miles east of Whitewater to and including the city of Twentynine Palms and including the U.S. Marine Corps Training Center north of Twentynine Palms.
- Route 3. Between Los Angeles and Beaumont via Interstate Highway 10, and from Pomona via State Highway 60 to Beaumont, including lateral route over U.S. Highway 395 from its intersection with U.S. Highway 60 near Sunnymead to its intersection with State Highway 74 near Romoland; thence via State Highway 74 to Hemet.
- Route 4. Between Los Angeles and United States-Mexican border, south of San Ysidro via Interstate Highway 5, including off-route points within five miles of the city of Brea, including Camp Pendleton U.S. Marine Base, and also including alternate routes:
- (a) Via State Highway 72 between Los Angeles and the junction of Interstate Highway 5 and State Highway 72 in Anaheim;
 - (b) Routes over roads and streets in the city of San Diego via La Jolla, Pacific Beach, Mission Beach, Ocean Beach, Point Loma;
 - (c) Santa Ana, Newport Beach and Balboa via Main Street, State Highway 55 and unnumbered highway; and
 - (d) North Island, Coronado, and Silver Strand via Ferry from San Diego and over State Highway 75.

Issued by California Public Utilities Commission.

Decision No. 83913, Application No. 54956.

- Route 5. Between Santa Monica and Doheny Park via State Highway 1 from and including Santa Monica to its junction with Interstate Highway 5 at Doheny Park, also including off-line points of San Pedro and Terminal Island.
- Route 6. Between junction of Interstate Highway 5 and Interstate Highway 14, north of the city of San Fernando, and Wilmington (Los Angeles Harbor), via Interstate Highway 5 to Los Angeles, thence via Figueroa Street, Avalon Boulevard or Alameda Street to Wilmington, also via lateral route commencing at the intersection of Interstate Highway 5 and Sunland Boulevard in Sun Valley; thence via Sunland Boulevard and State Highway 118 through Sunland to the Intersection of State Highways 118 and 2, thence via State Highway 2 to its intersection with Interstate Highway 5 in Glendale.
- Route 7. Between Anaheim and San Bernardino via U.S. Highway 91.
- Route 8. (a) Between Riverside and San Diego via U.S. Highway 395, including alternate route via San Diego County Road S-13 from its intersection with U.S. Highway 395 approximately 6 miles south of Temecula to its intersection with State Highway 78 at Vista; thence via State Highway 78 to its intersection with U.S. Highway 395 at Escondido.
- (b) Between Perris and Hemet via State Highway 74.
- Route 9. Between San Diego and California-Arizona Boundary near Winterhaven via Interstate Highway 8 and also via alternate route from San Diego via State Highway 94 to its intersection with Interstate Highway 8 at Boulevard.
- Route 10. Between Los Angeles and Santa Monica via State Highway 2.
- Route 11. Between Buena Park and the Pacific Ocean via State Highway 39.
- Route 12. Between Pasadena and Long Beach via U.S. Highway 66 and State Highway 19.

Issued by California Public Utilities Commission.

Decision No. 83913, Application No. 54956.

Route 13. Between Los Angeles and San Francisco, via U.S. Highway 101 and the following routes:

- (a) State Highway 1, between Santa Monica and the intersection of said highway with U.S. Highway 101 at a point north and westerly of Oxnard.
- (b) State Highway 118 between San Fernando and the intersection of said highway with U.S. Highway 101 at a point approximately 4.1 miles east of Ventura.
- (c) State Highway 126 between Interstate Highway 5 and the intersection of said highway with U.S. Highway 101 at a point approximately 2.5 miles east of Ventura.
- (d) State Highway 150 from Santa Paul through Ojai to the intersection of said highway with State Highway 33 west of Ojai, thence via State Highway 33 to its intersection with U.S. Highway 101 in Ventura.
- (e) State Highway 1 between Las Cruces and Pismo Beach.
- (f) State Highway 246 between Buellton and Lompoc.
- (g) State Highway 156 between the intersection of said highway with U.S. Highway 101 at a point approximately 11 miles south of Gilroy and the intersection of State Highway 156 with State Highway 152 at a point approximately 12 miles east of Gilroy.
- (h) State Highway 25 between Hollister and the intersection of said highway with U.S. Highway 101 at a point approximately 2 miles south of Gilroy.
- (i) State Highway 82 between its intersection with U.S. Highway 101 at a point approximately 4 miles south of Coyote and San Francisco.

Route 14. Between Oakland and Santa Cruz via State Highway 17, serving no intermediate points between Los Gatos and Santa Cruz.

Route 15. Between Hayward and Los Gatos via State Highway 238 and Interstate Highway 680 to its intersection with State Highway 237 near Milpitas, thence via State Highway 237 to its intersection with State Highway 85 at Mountain View, thence via State Highway 85 to its intersection with State Highway 9 at Saratoga, thence via State Highway 9 to Los Gatos.

Issued by California Public Utilities Commission.

Decision No. 83913, Application No. 54956.

- Route 16. Between Davenport and Carmel via State Highway 1.
- Route 17. Between Monterey and Salinas via State Highway 68.
- Route 18. Between Salinas and Castroville via State Highway 183.
- Route 19. Between Castroville and Prunedale via State Highway 156.
- Route 20. Between Watsonville and Gilroy via State Highway 152.
- Route 21. Between Watsonville and U.S. Highway 101 via all un-numbered highways.
- Route 22. Between San Francisco and Sacramento via Interstate Highway 80, serving no intermediate points between San Pablo and Sacramento.
- Route 23. Between Oakland and Stockton via Interstate Highway 580 serving no intermediate points between Hayward and Stockton.
- Route 24. Between junction of State Highway 120 and U.S. Highway 50 east of the City of Tracy and Manteca, via State Highway 120.
- Route 25. Between junction of State Highway 4 and U.S. Highway 40 northeast of Pinole and Stockton via State Highway 4, serving no intermediate points.
- Route 26. Between Los Angeles and Sacramento, including Sacramento, via Interstate Highway 5 to its intersection with State Highway 99 northwest of Wheeler Ridge, thence via State Highway 99, and also the following routes:
- (a) From the junction of Interstate Highway 5 and 14 southeast of Newhall, thence via Interstate Highway 14 and unnumbered highways through Newhall to Saugus, thence via unnumbered highway to its intersection with Interstate Highway 5 at a point 2.7 miles westerly of Saugus.
 - (b) State Highway 65 between the intersection of said highway with U.S. Highway 99 approximately 4 miles north of Bakersfield, via Ducor, Porterville, Lindsay, Exeter to its intersection with State Highway 198, thence via State Highway 198 to Visalia, thence via unnumbered highways via Calgro,

Issued by California Public Utilities Commission.

Decision No. 83913, Application No. 54956.

Orosi, Dinuba, Reedley, Sanger, and Clovis, thence via State Highway 168 and unnumbered highway to its junction with U.S. Highway 99, approximately 7 miles north of Fresno.

- Route 27. Between Visalia and Lemoore via State Highway 198 via Hanford.
- Route 28. Between Sacramento and Red Bluff via Interstate Highway 80 from Sacramento to its intersection with State Highway 65 near Roseville, thence via State Highway 65 to its intersection with State Highway 20 at Marysville, thence via State Highway 20 to its intersection with State Highway 99 at Yuba City, thence via State Highway 99 to Red Bluff, serving no intermediate points between North Sacramento and Chico.
- Route 29. Between Sacramento and Woodland via State Highway 16 serving no intermediate points.
- Route 30. Between junction of State Highway 113 and Interstate Highway 80 west of Davis and Red Bluff via State Highway 113 to its intersection with Interstate Highway 5 near Woodland, thence via Interstate Highway 5 serving no intermediate points.
- Route 31. Between Red Bluff and California-Oregon State Line via Interstate Highway 5.
- Route 32. Between Weed and California-Oregon State Line via Highway 97.

Issued by California Public Utilities Commission.

Decision No. 83913, Application No. 54956.

The applicant will not serve the following listed places:

Amboy	Ludlow
Barstow	Mesa Grande
Blythe	Millers Corner
Cadiz	Needles
Cajon	Oro Grande
Cuyamaca	Pine Hills
Daggett	Ramona
Desert Center	Rice
Devore	Rosemont
Goffs	Santa Ysabel
Helendale	Valley Center
Hodge	Verdemont
Julian	Victorville
Keenbrook	Warner Springs
Lake Henshaw Resort	Witch Creek
Lenwood	Yermo

Issued by California Public Utilities Commission.

Decision No. 83913, Application No. 54956.