

ORIGINAL

Decision No. 60787

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
CASCADE DRAYAGE AND WAREHOUSING, INC.,
a corporation, for a certificate of
public convenience and necessity to
operate as a highway common carrier.

Application No. 42237

Handler and Baker, by Marvin Handler,
for applicant.

O P I N I O N

Cascade Drayage and Warehousing, Inc., is operating under permitted authority as a radial highway common carrier and as a city carrier in the municipalities of Anderson, Redding and Red Bluff.

Applicant now requests a certificate of public convenience and necessity pursuant to Sections 1063 and 1064 of the Public Utilities Code authorizing the applicant to transport general commodities from, to and between all points specified in Appendix A hereto, which by this reference is made a part hereof.

A public hearing was held before Examiner Edward G. Fraser on July 12, 1960, at Redding. No appearance was made in protest to the authority requested.

The evidence shows that the applicant is operating as an interstate interline carrier in the Redding, Red Bluff, Lakhead area, under Interstate Commerce Commission M. C. Certificate No. 118885, dated December 16, 1959. The applicant is now providing a local service for four truck lines operating interstate.

The president of applicant corporation testified that he has been repeatedly asked to provide a local intrastate service in

the area which he serves. The carriers operating through Redding usually deliver to a centrally located terminal and require the consignees to pick up the merchandise. The applicant plans to provide a door-to-door pickup and delivery service in the area described in Appendix A attached hereto.

The area which applicant has asked to serve has been steadily growing in population and industry over the past ten years. The applicant has customers on its interstate route who desire an intrastate service into this area, and, likewise, they desire split pickups and split deliveries to be made therein.

The shipper witnesses who testified indicated that it would be beneficial to their respective companies to have the applicant provide this additional service.

The evidence further discloses that applicant is able to supply the extended service. It has adequate equipment, has had the necessary experience, and is financially sound.

Upon consideration of all of the evidence adduced herein, we find that public convenience and necessity require that the application be granted in the manner set forth in the ensuing order which will provide for the grant of a certificate of public convenience and necessity.

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

A public hearing having been held, and based upon the evidence adduced therein and the application and representations filed herein,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is granted to Cascade Drayage and Warehousing, Inc., authorizing it to operate as a highway common carrier as defined by Section 213 of the Public Utilities Code for the transportation of property between the points and over the routes as more particularly set forth in Appendix A 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 sixty days after the effective date hereof, and on not less than ten days' notice

to the Commission and to 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 27th day of SEPTEMBER, 1960.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

Cascade Drayage and Warehousing, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities between:

- A. Lakehead and Red Bluff, and intermediate points, on U. S. Highway 99, including those radially within 10 miles of Redding.
- B. Redding, and points radially within 10 miles of Redding, and Whiskeytown and intermediate points, on State Highway 299, and points within 5 miles radially of Whiskeytown.
- C. Redding and all points within 10 miles of Redding.

In connection with the certificate authorized in subparagraphs A and B hereof, applicant's service will be restricted to that which either originates at or is destined to Redding or points within 10 miles radially thereof.

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.

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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 refrigerated 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 trucks or in hopper-type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
8. Logs.

Issued by California Public Utilities Commission.

Decision No. 60297, Application No. 42237.