

Decision No. 61539

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LACEY TRUCKING COMPANY, a corpo-)
 ration, for removal of certain)
 restrictions from its Certificate)
 of Public Convenience and Necessity.)

Application No. 42995

O P I N I O N

Lacey Trucking Company, a corporation, is operating as a highway common carrier under a certificate of public convenience and necessity granted by Decision No. 44262, dated May 26, 1950, in Application No. 30806, acquired by applicant by Decision No. 51051 and as amended by Decisions Nos. 51095 and 53956, which authorizes the transportation of property necessary or incidental to the establishment, maintenance or dismantling of oil, gas or water wells, pipelines, refineries and cracking or casing head plants; equipment and material used in construction; and equipment used in farming, over the main routes in the State of California. This authority includes the right to serve all points within a 50-mile radius of all of the routes included. The applicant also operates as a radial highway common carrier, a highway contract carrier, a city carrier, a highway common carrier of petroleum products in bulk and a petroleum irregular route carrier.

The present certificate includes the following restriction:

"limited to commodities originating at or destined to an oil well site, construction site, or farm, or originating at or destined to a storage yard."

The applicant has requested the Commission to remove and cancel this restriction.

Prior to the filing of the application applicant served copies thereof on the carriers listed in Exhibit "D" of the application. There were no protests and a public hearing is not necessary.

It is alleged that oil well operations in this State have been steadily declining during the past several years due to comparatively inexpensive oil being imported from the Near and Middle East. The remaining business in local fields is divided among both certificated and permitted carriers. The latter are not restricted to providing service within a given area and are able to offer a much broader and more flexible service than the applicant. It is further alleged that the applicant has been required to seek business which does not always ship or receive from oil wells, construction sites, farms, or storage yards, and because of the restriction the applicant is not now able to adjust to the loss of most of its oil field business.

After consideration, the Commission hereby finds and concludes that the removal of the restriction from the certificate held by the applicant will not adversely affect the public interest and that public convenience and necessity require that the said certificate should be restated herein without the restriction.

O R D E R

An application having been filed and the Commission being of the opinion that it should be granted,

IT IS ORDERED:

1. That a certificate of public convenience and necessity be and it is granted to Lacey Trucking Company, a corporation, authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, 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 one hundred twenty 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.

3. That the certificate of public convenience and necessity granted in paragraph 1 of this order supersedes the certificate of public convenience and necessity granted by Decision No. 44262, as amended by Decisions Nos. 51095 and 53956, which certificate is hereby canceled and revoked, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

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

Dated at San Francisco, California, this 21st day of February, 1961.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners

Lacey Trucking Company, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport property necessary or incidental to the establishment, maintenance, or dismantling of oil, gas, or water wells, pipe lines, refineries, and cracking or casing head plants, equipment and material used in construction, and equipment used in farming, between any and all points located on and within 50 miles laterally of the following highways:

- (a) U.S. 101 and U.S. 101 By-Pass between Oregon-California State Line and California-Mexico Line;
- (b) U.S. 99, 99-E, and 99-W between Oregon-California State Line and the Mexican Border;
- (c) U.S. 299 between Redding and Alturas, California;
- (d) U.S. 395 between the Oregon-California State Line and the California-Nevada State Line, via Alturas and Johnstonville;
- (e) State Highway 36 between Junction 99-E near Red Bluff California, and Junction U.S. 395 at Johnstonville;
- (f) State Highway 20 between Marysville, California, and Junction U.S. 40;
- (g) U.S. 40 between San Francisco and California-Nevada State Line;
- (h) U.S. 50 between Sacramento, California, and California-Nevada State Line;
- (i) U.S. 395 between California-Nevada State Line at Topaz Lake and Junction U.S. 66;
- (j) U.S. 66 between Los Angeles and Needles, California;

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- (k) U.S. 60 between Los Angeles, California, and California-Arizona State Line;
- (l) U.S. 91 and 466 between Barstow and Nevada-California State Line;
- (m) U.S. 80 between San Diego and California-Arizona State Line;
- (n) State Highway 127 between Baker and Nevada-California State Line.

End of Appendix A

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