

Decision No. 62493**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 ENCINAL TERMINALS, a corporation,  
 to exclude certain commodities from  
 Certificate of Public Convenience  
 and Necessity authorized by Decision  
 No. 60547.

Application No. 43660

O P I N I O N

Encinal Terminals, presently rendering service as a highway common carrier, requests that its certificated authority be amended by excluding therefrom authority to transport the following:

Fresh or green fruits, fresh or green vegetables, from field or point of growth consigned to cold storage plants, pre-cooling plants, canneries, accumulation yards, packing sheds, packing houses, or other processing facilities.

Applicant alleges that the commodities above named are commodities which are ordinarily transported to cold storage plants, pre-cooling plants, canneries, accumulation yards, packing sheds, packing houses, or other processing facilities; that transportation to such points of destination is not subject to the Commission's minimum rates; that in order for applicant to successfully transport such exempted traffic it is necessary that such operations be conducted under contract; that if the applicant is required to transport said commodities under its applicable tariff rates, it will be put to a competitive disadvantage with other carriers, and that this transportation is normally performed under contract.

After consideration the Commission finds and concludes that public convenience and necessity no longer require applicant to serve as a highway common carrier for the aforementioned commodities. A public hearing is not necessary.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED that:

1. Appendix A attached to Decision No. 60547 is hereby amended by substituting First Revised Page 1 attached hereto in the place and stead of Original Page 1.

2. Within 120 days after the effective date hereof and on not less than ten days' notice to the Commission and to the public, applicant shall amend its tariff on file with this Commission to reflect the authority herein granted.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 29th day of August, 1961.

*Charles W. Page*  
 President

*Robert E. Mitchell*

*E. Linton*

*George E. Howard*

*Fredrick B. Holbrook*  
 Commissioner

Encinal Terminals, a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities from, to and between all points as described in Appendix B attached hereto.

Applicant shall not transport any shipments of:

- a. Uncrated used household goods and personal effects.
- b. Petroleum products in bulk and tank vessels.
- c. Livestock
- d. Commodities of unusual value.
- e. Fresh or green fruits or fresh or green vegetables from fields or point of growth consigned to cold storage plants, precooling plants, canneries, accumulation stations, packing sheds, packing houses or other processing facilities.

For the purpose of subparagraph e above, the following definitions will apply:

- (1) Cold Storage Plant: Facilities maintained for the storage of commodities under refrigeration.
- (2) Precooling Plant: Facilities maintained for the purpose of precooling commodities for shipment under refrigeration.
- (3) Cannery: Facilities maintained for the processing of commodities at which the commodities are canned, preserved, dried, frozen, pickled, brined, or otherwise processed into manufactured products.
- (4) Accumulation Station: Yards or open areas maintained for the receiving of unprocessed commodities from the field, and accumulation and consolidation of such commodities for shipment to a cannery, winery, cold storage plant or precooling plant.
- (5) Packing Shed or Packing Plant: Facilities maintained for assembling, sorting, grading, or packing the commodity for shipment.

Issued by California Public Utilities Commission. .

Decision No. 62493, Application No. 43660.