

Decision No. 63513**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
FRANK'S TRUCKING, a corporation, for
an order amending its certificate of
public convenience and necessity
authorizing highway common carrier
service to exclude therefrom trans-
portation of metal cans and can ends.

Application No. 43858

SUPPLEMENTAL OPINION AND ORDER

At the request of applicant the Commission by Decision No. 62955 excluded from its certificated authority metal cans or can tops, bottoms or ends because the transportation of such freight was not of the character usually performed by applicant. Applicant now requests that its certificate be further amended by excluding can tops, bottoms or ends, except when moving in mixed shipments with commodities authorized to be transported under its certificate.

It is alleged that at the time applicant filed its requested amendment it did not realize that the modification would affect transportation of mixed shipments of can ends, tops or bottoms with certain commodities within the scope of its certificate, such as tin plate; that although such shipments are occasional, they are a necessary part of the service required by its customers; that at the present time if applicant hauls a shipment of commodities authorized to be transported under its certificate mixed with commodities authorized to be transported under its permitted authority, the movement cannot be billed or rated as a single shipment but must be rated and charged as though two separate and distinct shipments were carried; that unless modified as requested

a mixed shipment of can ends and certificated commodities, which are moved on a single vehicle between a specific origin and specific destination must be considered to be two movements and billed as such; and that such a charge would make it economically impractical for a customer to use applicant's service for such transportation.

After consideration the Commission finds and concludes that public convenience and necessity require the granting of the authority sought. A public hearing is not necessary.

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

IT IS ORDERED that:

1. Appendix A of Decision No. 54203 is hereby amended by incorporating Fourth Revised Page 1 and Fourth Revised Page 2, attached hereto, in revision of Third Revised Page 1 and Third Revised Page 2.

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

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

Dated at San Francisco, California, this 3rd day of APRIL, 1962.

Charles W. Bagge
President
Fredrick B. Hablough
Commissioners

Frank's Trucking, a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport:

- I. GENERAL COMMODITIES between all points in the San Francisco-East Bay Cartage Zone as described in Appendix B attached hereto.

Applicant shall not transport any shipments of:

- a. 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.
- b. 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, bus chassis.
- c. 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.
- d. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerated equipment.
- e. Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
- f. Commodities when transported in bulk in dump trucks or in hopper type trucks.
- g. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

Issued by California Public Utilities Commission.

Decision No. 63513, Application No. 43850.

Appendix A

FRANK'S TRUCKING
(a corporation)Fourth Revised Page 2
Cancels
Third Revised Page 2

h. Metal Cans.

i. Can tops, bottoms or ends, except when moving in mixed shipments with commodities authorized to be transported under this authority.

Frank's Trucking by said certificate, is further authorized to transport:

- a. INSECTICIDES OR FUNGICIDES, AGRICULTURAL, as listed under that heading in Items Nos. 24505 through 24572 of Western Classification No. 75, Cal. P.U.C. No. 3, George E. Dumas, Agent, on the issue date thereof and Supplement No. 46 thereto.
- B. IRON OR STEEL, VIZ.:
Bars
Plate or Sheet
Terne plate or tin plate
- C. MACHINERY OR MACHINES, OR PARTS NAMED, as listed under that heading in Items Nos. 27145 through 31920 of Western Classification No. 75, Cal. P.U.C. No. 3, George E. Dumas, Agent, on the issue date thereof and Supplements Nos. 41, 46, 48 and 50 thereto.
- D. MISCELLANEOUS COMMODITIES, VIZ.:
Bags, burlap, gunny, ixtle (istle), jute, sisal or paper
Drums, empty shipping, iron or steel
Fibreboard
Pallets, iron, steel, wood, paper or pulpboard
Pulpboard
Can tops, bottoms or ends, when transported in mixed shipments with any commodity or commodities named in paragraphs A, B, C or D.

between:

- (1) Pittsburg, on the one hand, and Oakland, on the other hand.
- (2) Sacramento, on the one hand, and Oakland, on the other hand.
- (3) Stockton, on the one hand, and Oakland, on the other hand.
- (4) Oakland, on the one hand, and San Jose, on the other hand.

Issued by California Public Utilities Commission.

Decision No. 63513, Application No. 43852.