

ORIGINAL

Decision No. 65331

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
ENCINAL TERMINALS, a corporation, for
an order amending its certificate of
public convenience and necessity as a
highway common carrier so as to exclude
the transportation of metal cans or can
tops, bottoms or ends.

Application No. 45200

O P I N I O N

Encinal Terminals, a corporation, requests authority to amend its certificate so as to exclude the transportation of metal cans or can tops, bottoms or ends.

It is alleged that the transportation of metal cans or can tops, bottoms or ends, involves a type of service which is normally performed by a contract motor carrier; that it requires the assignment of equipment devoted exclusively to the hauling of such commodities for a single manufacturer or consignee; that because of the light and bulky nature of such shipments, the equitable rate assessed depends upon the volume and frequency of movements; that under a common carrier tariff timely rate adjustments are not possible; and that similar authority has been granted to other certificated carriers.

After consideration, the Commission finds that public convenience and necessity no longer require that applicant transport commodities of the type hereinabove referred to as a highway common carrier. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Decision No. 60547, dated August 9, 1960, in Application No. 42198, as amended, is hereby further amended by excluding therefrom authority to transport metal cans or can tops, bottoms or ends.

2. Appendix A of Decision No. 60547 is hereby further amended by incorporating therein First Revised Page 2, attached hereto, in revision of Original Page 2.

3. Within one hundred twenty days after the effective date hereof, and on not less than thirty 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 Los Angeles, California, this 7th day of May, 1963.

George F. Trover
President

Frederic B. Holshoff
William W. Bennett

Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

Applicant shall not transport any shipments of:

- a. Uncrated used household goods and personal effects.
- b. Petroleum products in bulk in 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.
- f. Metal cans or can tops, bottoms or ends.

END OF APPENDIX A

Issued by California Public Utilities Commission.

Decision No. 65331, Application No. 45200.