

**ORIGINAL**

Decision No. 65741

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ) ASSOCIATED TRANSPORTATION CO., INC., ) a corporation, for an order amend- ) ing its certificate of public con- ) venience and necessity to operate as ) a highway common carrier to exclude ) specified commodities therefrom. )	Application No. 45496
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O P I N I O N

Associated Transportation Co., Inc., presently rendering service as a highway common carrier for the transportation of general commodities, with limited exceptions, between points in the San Francisco Territory and points in the Sacramento and San Joaquin Valleys extending from Red Bluff, on the north, to Stockton, on the south, requests that certain commodities be excluded from its certificated authority.

By Decisions Nos. 60658 and 60864 in Application No. 42194, the following commodities were excluded from applicant's certificate:

- 3. Nuts, edible, in shells and
- 5. Fruits and vegetables when points of destination is a cannery, accumulation station, cold storage plant, precooling plant or winery.

By the instant application it requests that Decisions Nos. 60658 and 60864 be amended by adding thereto the following paragraphs 3, 5 and 12:

- "3. Nuts, edible, in shells; nuts, in the shells or field shelled, when destined to accumulation stations, packing plants or sheds, canneries, or storage plants.

- "5. Fruits and vegetables when points of destination is a cannery, accumulation station, cold storage plant, precooling plant, winery or packing plant or shed.
- "12. Metal cans and metal can tops, bottoms or ends, except when moving in mixed shipments with commodities authorized to be transported under this authority."

It is alleged that for-hire transportation of metal cans involves a type of service which is normally performed by a contract motor carrier; equipment is usually assigned and devoted exclusively to hauling such commodity for a single manufacturer or consignee; service for such companies is conducted between specified termini and on a regular basis; scheduling of these movements can vary from ten to twenty-four hours per day and from five to seven days a week; due to certain tariff publication problems arising from the light and bulky nature of cans, and the volume variations of such shipments a flexibility in the determination of charges assessed for each particular movement is necessary; the requested exclusion of nuts, in the shells or field shelled, when destined to accumulation stations, packing plants or sheds, canneries and storage plants is requested because of the loss of certain of this traffic due to competition from permitted carriers and for greater flexibility in determining the proper charges for such services.

After consideration, the Commission finds and concludes that public convenience and necessity no longer require the transportation by applicant of the commodities herein considered. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Associated Transportation Co., Inc., is hereby authorized to discontinue the transportation of the commodities heretofore

described concurrently with the effective date of tariff filings required in paragraph 3 hereof.

2. Second Revised Page 1 and First Revised Page 2 attached hereto are hereby substituted in the place and stead of First Revised Page 1 and Original Page 2 of Appendix A attached to Decision No. 60658 in Application No. 42194.

3. 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 amend its tariffs presently on file with the 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 23 day of July, 1963.

William W. Bonds  
President

George E. Brown

Frederick B. Hallock  
Commissioners

Associated Transportation Co., Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities with the exception 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. 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.
3. Nuts, edible, in shells; nuts, in the shells or field shelled, when destined to accumulation stations, packing plants or sheds, canneries, or storage plants.
4. Fruits and vegetables, dried, unmanufactured and unprocessed.
5. Fruits and vegetables when point of destination is a cannery, accumulation station, cold storage plant, precooling plant, winery or packing plant or shed.
6. Insecticides and fungicides, agricultural.
7. Fertilizers as described in Items Nos. 535, 540 and 550 of Exception Sheet No. 1-S, Cal. P.U.C. No. 193, J. P. Haynes, Agent.
8. Sulphur.
9. Seeds as described in Note 6 of Items 40-41 of Minimum Rate Tariff No. 2.
10. Lift Trucks when transported on low-bed trailers.

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Decision No. 65741, Application No. 45496.

11. Aqua ammonia fertilizer, liquid, when transported in bulk in tank vehicles.
12. Metal cans and metal can tops, bottoms or ends, except when moving in mixed shipments with commodities authorized to be transported under this authority.
  - A. Between all points and places in the San Francisco Territory, as described in Appendix E attached hereto.
  - B. Between all points on or within 20 miles of the following routes:
    1. U. S. Highways 99, 99-W and 99-E between Stockton and Red Bluff, inclusive.
    2. U. S. Highway 40 between San Francisco and Roseville, inclusive.
    3. U. S. Highway 40-A between Davis Junction and Oroville, inclusive.
    4. U. S. Highway 50 between San Francisco and Stockton, inclusive.
    5. State Highway 24 and U. S. Highway 40 Alternate between Oakland and Oroville, inclusive.
    6. State Highway 4 between its intersection with U. S. Highway 40, near Pinole, and Stockton, inclusive.
    7. State Highway 21 between Walnut Creek and Warm Springs, inclusive.

No service as a highway common carrier shall be performed locally between Marysville and Yuba City.

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Decision No. 65741, Application No. 45496.