

Decision No. 67517**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of CASCADE DRAYAGE AND WAREHOUSING,)
 INC., a corporation, for expansion)
 of its certificate of public con-)
 venience and necessity to operate)
 as a highway common carrier. }

Application No. 46500
 (Filed April 13, 1964)

O P I N I O N

Cascade Drayage and Warehousing, Inc. presently rendering service for the transportation of general commodities with limited exceptions, in both intrastate and interstate commerce between Lakehead and Red Bluff and between Redding and Whiskeytown, requests that its operating authority be amended by excluding therefrom the restriction against the transportation of commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigeration equipment.

Applicant operates in intrastate and interstate commerce pursuant to Decision No. 60797 in Application No. 42237 which was registered with the Interstate Commerce Commission. In addition to said authority applicant also holds an interstate certificate authorizing the transportation of general commodities excluding commodities requiring special equipment between Lakehead and Red Bluff. According to applicant, the Interstate Commerce Commission has consistently held that the restriction against special equipment does not include mechanically refrigerated equipment. As a result applicant can use mechanically refrigerated equipment between Lakehead and Red Bluff on interstate movements, but cannot render such service to any point served under its intrastate certificate.

It is alleged that applicant is presently transporting interstate shipments, which require temperature control, but not in mechanically refrigerated vehicles. It is further alleged that applicant desires to operate mechanically refrigerated equipment to all points on shipments moving in both interstate and intrastate commerce.

Copies of the application were served upon all carriers with which the proposed service might compete. An appropriate notice of the application was filed in the Federal Register. No protest has been received.

After consideration the Commission finds that public convenience and necessity require applicant's use of mechanically refrigerated equipment on shipments moving in interstate and intrastate commerce. A public hearing does not appear to be necessary.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Cascade Drayage and Warehousing, Inc. authorizing its operation as a highway common carrier as defined in Section 213 of the Public Utilities Code for the transportation of property moving in interstate and intrastate commerce between the points and over the routes set forth in Appendix A attached hereto.

2. 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 of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 99 and insurance requirements of the Commission's General Order No. 100-B. 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-B, may result in a cancellation of the operating authority granted by this decision.
- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs, in triplicate, in the Commission's office.
- (c) The tariff filings shall be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the establishment of the service herein authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-A.

3. 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. 60797, in Application No. 42237 which certificate is hereby 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 14th day of July, 1964.

Fredrick B. Holcomb
President

John C. Mitchell

George T. Crowe

William C. Bennett

Commissioners

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

Cascade Drayage and Warehousing, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities between:

- A. Lakehead and Red Bluff, and intermediate points, on U. S. Highway 99, including those radially within 10 miles of Redding.
- B. Redding, and points radially within 10 miles of Redding, and Whiskeytown and intermediate points, on State Highway 299, and points within 5 miles radially of Whiskeytown.
- C. Redding and all points within 10 miles of Redding.

In connection with the certificate authorized in subparagraphs A and B hereof, applicant's service will be restricted to that which either originates at or is destined to Redding or points within 10 miles radially thereof.

Applicant shall not transport any shipments 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. 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 and bus chassis.

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3. 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.
4. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
5. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Logs.

End of Appendix A

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