

Decision No. 77058**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of ELMER G. FILOMEO and BRUNO
NARDI, doing business as DIABLO
TRANSPORTATION CO. for clarifica-
tion of highway common carrier
authority.

Application No. 51643
(Filed January 22, 1970)

O P I N I O N

Elmer G. Filomeo and Bruno Nardi, doing business as Diablo Transportation Co., request authority to interchange Class A and B Explosives at Camp Parks on shipments destined to the Naval Weapons Center at Port Chicago.

By Decision No. 36634, dated September 28, 1943, in Application No. 25316, a certificate was issued authorizing operations as a highway common carrier between San Francisco and Oakland, on the one hand, and the United States Navy Depot near Port Chicago, on the other hand, over and along the most appropriate route or routes. Said certificate was acquired by applicants by Decision No. 63438, dated March 20, 1962, in Application No. 44188. Applicants also hold corresponding interstate authority by virtue of registration.

For several years applicants have interchanged shipments of Class A and B Explosives destined to Port Chicago with interstate carriers that were not authorized to serve Port Chicago. Said interchange is made within the Oakland terminal area. Recently the California State Fire Marshal determined that there are no longer any "safe stopping places" within said area. As a

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consequence, applicants have arranged to make the interchange of such shipments at Camp Parks, which has been determined by the California State Fire Marshal as a "safe stopping place". The route to be followed from the Camp Parks interchange point is Interstate Highway 680 to the intersection of Interstate Highway 680 and California Highway 4 and thence over California Highway 4 and an unnumbered highway to Port Chicago.

One protest by a carrier was received claiming that this application was an extension of service. The Commission disagrees with this contention.

After consideration the Commission finds that public convenience and necessity require the granting of the application for intrastate, interstate and foreign commerce. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. In the transportation of Class A and B Explosives in intrastate, interstate and foreign commerce pursuant to Decision No. 36634, Elmer G. Filomeo and Bruno Nardi, doing business as Diablo Transportation Co., are hereby authorized to interchange such shipments at Camp Parks, California, and operate over the following route:

"Commencing at Camp Parks, thence via Interstate Highway 680, California Highway 4 and unnumbered highway to the Naval Weapons Center at Port Chicago."

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2. Within sixty days after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicants shall amend their tariffs presently on file with the Commission to reflect the authority herein granted.

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

Dated at Los Angeles, California, this 7th day of APRIL, 1970.

William Snow, Jr.
President

Augustus

J. P. ...

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Thomas L. Sturgeon
Commissioners