

ORIGINAL

Decision No. 78979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of HARTWICK AND HAND, INC., a California corporation, under Section 1064 of the Public Utilities Code for a certificate of public convenience and necessity to operate as a cement carrier from any and all points of origin to and within San Joaquin County, and for ex-parte emergency temporary authority.

Application No. 52789
(Filed August 3, 1971)

INTERIM ORDER

Hartwick and Hand, Inc. presently providing service as a cement carrier between various counties within the state, requests authority to extend service to all points and places within the County of San Joaquin. Because of the rail strike, applicant requests emergency temporary authority to provide said extended service.

It is alleged that applicant presently serving Southwestern Portland Cement Company from said customer's portland cement manufacturing plant at Victorville, San Bernardino County; that said customer has been shipping large quantities of portland cement from its Victorville plant to John Mansville Company's plant at Stockton; that heretofore said shipments have moved by rail; that because of the rail strike said customer has been unable to find existing cement carriers with sufficient equipment to provide a minimum of six full truck and trailer loads per day between Victorville and Stockton; that applicant presently has the equipment to provide said service; and that Southwestern Portland Cement Company has requested applicant to provide a permanent and an emergency temporary service to and within San Joaquin County.

After consideration the Commission finds that public convenience and necessity require the temporary granting of authority requested. The request for permanent authority will be subject to further consideration by the Commission. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Hartwick and Hand, Inc., authorizing it to operate as a cement carrier as defined in Section 214.1 of the Public Utilities Code, between Victorville and Stockton until September 1, 1971.

2. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations. Failure so to do may result in a cancellation of the operating authority granted by this decision.

- (a) Within five days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. Applicant is placed on notice that, if it accepts the certificate of public convenience and necessity herein granted, it will be required, among other things, to comply with and observe the safety rules of the California Highway Patrol, and insurance requirements of the Commission's General Order No. 100-E.
- (b) 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 on not less than one day's notice to the Commission and to 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. 117.
- (e) Applicant shall comply with the requirements of the Commission's General Order No. 84-Series for the transportation of collect on delivery shipments. If applicant elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

3. In all other respects the Application No. 52789 shall be held pending further consideration by the Commission.

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

Dated at San Francisco, California, this 3rd day of AUGUST, 1971.

William S. ... Chairman
[Signature]
[Signature]
[Signature] Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.