

ORIGINAL

Decision No. 79767

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
WTC AIR FREIGHT, a corporation, for
an In-Lieu Freight Forwarding Certif-
icate of Public Convenience and
Necessity.

Application No. 52983
(Filed November 9, 1971;
Amended January 26, 1972)

O P I N I O N

By Decision No. 71941, dated January 31, 1967, in Application No. 48867, WTC Air Freight (WTC) was granted a certificate of public convenience and necessity authorizing operations as a freight forwarder via the lines of air common carriers from Los Angeles International Airport, San Diego International Airport and San Francisco International Airport, on the one hand, to various points in California served by air common carriers, on the other hand.

In addition to its activities within California, applicant is engaged in the performance of air cargo transportation in interstate and foreign commerce as a domestic and international air freight forwarder under Civil Aeronautics Board Operating Authorizations No. 86 and No. 134.

The instant application, as amended, requests a certificate of public convenience and necessity between various points within California as set forth in Exhibit 1 attached to the application. The authority sought encompasses applicant's present authority and would, in effect, be an in-lieu certificate.

Applicant states that its present certificate was granted pursuant to its application of October 13, 1966, requesting an extensive enumeration of destination airports even though many cities in which these particular authorized airports were located were in close proximity to and were capable of service within the normal pickup

and delivery terminal area of nearby airports which were also authorized. Some examples of presently authorized destination airports in this category, as set forth in the application, are Oakland, which airport city is presently served from San Francisco International Airport; Long Beach, Santa Ana and Laguna Beach, which airport cities are presently served from Los Angeles International Airport; Salinas, which airport city is presently served from Monterey; Yuba City, which airport city is presently served from Marysville; Indio, which airport city is presently served from Palm Springs; and Arcata, which airport city is presently served from Eureka. Applicant avers that the cities in this category and the public located therein will continue to receive the service held out by applicant as these cities are located in the pickup and delivery terminal area of an airport point otherwise authorized.

Applicant also seeks to eliminate a small number of additional destination points which it is presently authorized to serve. Some examples are Apple Valley, Crescent City and Red Bluff. These points have been eliminated for one or several reasons as follows: (1) the airport at that point, if any, is inadequate or incapable of handling present day cargo carrying aircraft, (2) past experience has shown that air traffic destined to these points has been so minimal that operations are not feasible and do not warrant the holding out of a service by applicant, (3) applicant does not serve these points under its existing CAB authorizations and it desires to maintain a consistency between its CAB and its PUC operations, and (4) the shipping public does not appear to require applicant's service to these points at this time.

The application states that:

"Applicant has evaluated the needs of its customers and the general shipping public and this application for an in-lieu certificate is intended to restate applicant's authority in a manner which will best serve both its interest and that of the shipping public."

The application further states that:

"It is difficult for applicant to determine to what extent the long and short haul clauses of the Public Utilities Act and of the California Constitution would apply to the movement of air freight forwarding traffic to be transported under this proposed certificate. It is entirely possible that certain of the rates which applicant proposes would involve long and short haul departures."

Because of this, applicant requests authority to make such departures, provided any exist.

Exhibit 3 attached to the application contains a copy of applicant's Tariff No. 8. It is also difficult for the Commission to determine to what extent the long- and short-haul clauses of the Public Utilities Act and of the California Constitution would apply to the movement of intrastate traffic by applicant. In order for the Commission to authorize such departures, it is incumbent upon applicant to set forth the circumstances it believes warrants such departures. In the absence of such showing, the Commission cannot make a finding as to the reasonableness of such departures. Applicant's request for such authority will not be granted.

Applicant's balance sheet and income statement as of September 30, 1971, are attached to the application as Exhibits 4 and 5, respectively. Said exhibits disclose that applicant is financially capable of performing the service proposed by the application.

The application was served in accordance with the Commission's procedural rules. There are no protests.

After consideration the Commission finds that:

1. Applicant possesses the experience and financial resources to institute and maintain the service herein authorized.
2. Public convenience and necessity require that the proposed service be authorized.
3. A public hearing is not necessary.

The Commission concludes that the application should be granted as set forth in the ensuing order. The order which follows will provide, in the event the certificate is accepted, for the revocation of the certificate granted by Decision No. 71941 and the issuance of a certificate in appendix form to applicant.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to WTC Air Freight, a corporation, authorizing it to operate as a freight forwarder, as defined in Section 220 of the Public Utilities Code, between the points and subject to the conditions set forth in Appendices A and B attached hereto and made a part hereof.

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 thirty 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 file annual reports of its operations.
- (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 ten days after the effective date of this order on not less than ten 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. 117.

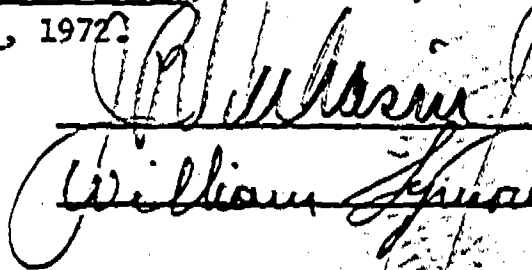
3. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 71941,

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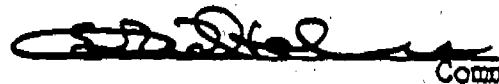
which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

The effective date of this order shall be twenty days after the date hereof. San Francisco

Dated at _____, California, this 25th day of FEBRUARY, 1972.


Chairman




Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

WTC Air Freight, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as a freight forwarder, as defined in Section 220 of the Public Utilities Code for the transportation of general commodities via the lines of air common carriers, highway common carriers and passenger stage corporations, subject to the following conditions:

1. Applicant shall not ship or arrange to ship any property unless such property shall have transportation by aircraft originate at one of the following airports:

Los Angeles International Airport
San Diego International Airport
San Francisco International Airport

on the one hand, and terminate at the following points served by air common carriers, on the other hand:

Bakersfield	Modesto
Blythe	Monterey
Chico	Palmdale
El Centro	Palm Springs
Eureka	Redding
Fresno	Sacramento
Inyokern	San Diego
Lake Tahoe	San Francisco
Lancaster	Santa Maria
Los Angeles	Santa Rosa
Marysville	Stockton
Merced	Visalia

2. In emergencies only, such as an airport being closed because of inclement weather, highway common carriers or passenger stage corporations may be used as underlying carriers to provide transportation between the airports specified in Paragraph 1 hereof.

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3. Except as provided in Paragraph 2, the authority to ship via the lines of highway common carriers or passenger stage corporations is limited to service in the pickup and delivery terminal areas of airport cities of origin or destination as named in Paragraph 1 and as specifically described in Appendix B hereof.
4. WTC Air Freight shall establish door-to-door rates for service between airports including points within the pickup and delivery terminal areas of airport cities of origin and destination as described in Paragraphs 1 and 3 above and Appendix B hereof.

(END OF APPENDIX A)

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WTC Air Freight is authorized to provide pickup and/or delivery service to the points shown below through the airport city named:

BAKERSFIELD

Bakersfield
East Bakersfield
Meadows Field
Oildale

BLYTHE

Blythe
Blythe Municipal Airport

CHICO

Chico
Chico Municipal Airport
Hamilton City
Orland
Oroville
Paradise

EL CENTRO

Brawley
Calxico
El Centro
El Centro Auxiliary Naval
Air Station
Holtville
Imperial
Imperial Beach
Imperial County Airport

EUREKA

Arcata
Eureka
Humboldt County Airport

FRESNO

Clovis
Fresno
Fresno Air Terminal, Hammer Field
Malaga
Pinedale

INYOKERN

China Lake
Inyokern
Kern County Airport
Naval Ammunition Depot
Naval Ordnance Test Station,
China Lake
Ridgecrest

LAKE TAHOE

Al Tahoe
Bijou
Camp Richardson
Kings Beach
Meeks Bay
Meyers
Round Hill
Stateline
Tahoe City
Tahoe Paradise
Tahoe Valley
Tahoe Valley Airport

LANCASTER

Lancaster

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LOS ANGELES

Agoura	Claremont
Alhambra	Clearwater
Altadena	Colton
Alta Loma	Compton
Anaheim	Corona
Arcadia	Corona Del Mar
Arlington	Costa Mesa
Artesia	Covina
Athens	Crestmore
Atwood	Cucamonga
Azusa	Cudahy
Balboa	Culver City
Balboa Beach	Cypress
Balboa Island	Dairy Valley
Baldwin Hills	Diamond Bar
Baldwin Park	Dominguez
Ballistic Systems Div.	Downey
Los Angeles Complex	Duarte
Bandini	Dyer
Barnes City	Eagle Rock
Bassett	East Highland
Bel Air Estates	East Hollywood
Bell	East Long Beach
Bellflower	East Los Angeles
Bell Gardens	El Modena
Belvedere Gardens	El Monte
Beverly Hills	El Nido
Bloomington	El Rio
Boyle Heights	El Segundo
Bradbury Estates	El Toro Marine Base
Brea	El Toro Marine Corps Air Station
Brentwood	Encino
Bryn Mawr	Etiwanda
Buena Park	Firestone Park
Burbank	Flintridge
Calabasas	Florence
Camarillo	Fontana
Canoga Park	Fountain Valley
Carpenteria	Fullerton
Carson	Gardena
Cerritos	Garden Grove
Charter Oaks	Garvey
Chatsworth	Glendale
Chino	Glendora
City of Commerce	Gloryetta
City of Industry	Goleta
City Terrace	Granada

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LOS ANGELES (Continued)

Granada Hills	Lynwood
Greenville	Magnolia Park
Guasti	Malibu
Harbor City	Manhattan Beach
Hawthorne	March Air Force Base
Hermosa Beach	Mar Vista
Highgrove	Maywood
Highland Park	Mentone
Highlands	Midway City
Highway Highlands	Mira Loma
Hillgrove	Mission Viejo
Hollydale	Moneta
Hollywood	Monrovia
Hondo	Montalvo
Hope Ranch	Montebello
Huntington Beach	Montecito
Huntington Park	Monterey Park
Hyde Park	Montrose
Inglewood	Moorpark
Irvine	Narod
Irvine Industrial Complex	Newbury Park
Irwindale	Newhall
Kaiser	Newport
La Canada	Newport Beach
La Crescenta	Norco
Laguna Beach	North Glendale
La Habra	North Hollywood
Lakewood Village	North Long Beach
Lamanda Park	North Los Angeles
La Mirada	Northridge
La Puente	Norton Air Force Base
La Verne	Norwalk
Lawndale	Oak View
Leimert Park	Ocean Park
Lennox	Ojai
Lockheed Air Terminal	Olinda
Loma Linda	Olive
Lomita	Ontario
Long Beach	Ontario International Airport
Long Beach Municipal Airport	Orange
Los Alamitos	Orange County Airport
Los Alamitos Naval Air Station	Oxnard
Los Angeles	Oxnard Air Force Base
Los Angeles Harbor	Oxnard Beach
Los Angeles International Airport	Pacific Palisades
Los Cerritos	Pacoima
Los Nietos	Palms

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LOS ANGELES (Continued)

Palos Verdes Estates	Sierra Madre
Panorama City	Signal Hill
Paramount	Simi
Pasadena	Soldiers Home
Patton	Somis
Pedley	South El Monte
Pico Rivera	South Gate
Placentia	South Pasadena
Playa Del Rey	Spadra
Point Mugu	Stanton
Pomona	Studebaker
Port Hueneme	Studio City
Prado	Sunland
Puente	Sunny Hills
Redlands	Summerland
Redondo	Sunset Beach
Redondo Beach	Sun Valley
Reseda	Sylmar
Rialto	6592nd Support Wing
Riverside	Tarzana
Riverside Municipal Airport	Temple City
Rolling Hills	Terminal Island
Rolling Hills Estates	Thousand Oaks
Rosemead	Toluca Lake
San Bernardino	Torrance
San Dimas	Tujunga
San Fernando	Tustin
San Gabriel	Universal City
San Marino	Upland
San Pedro	Valinda
Santa Ana	Valencia
Santa Ana Marine Corps Air Facility	Van Nuys
Santa Anita	Venice
Santa Barbara	Ventura
Santa Barbara Municipal Airport	Ventura County Airport
Santa Fe Springs	Verdugo City
Santa Monica	Vernon
Santa Paula	View Park
Santa Susana	Walnut
Saticoy	Walnut Park
Saugus	Walteria
Sawtelle	Watts
Seal Beach	Westchester
Sepulveda	West Covina
Sherman Oaks	West Hollywood
	West Lake Village

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LOS ANGELES (Concluded)

West Los Angeles
Westminster
Westwood
Westwood Village
Whittier
Willowbrook
Wilmington
Woodland Hills
Yorba
Yorba Linda
Yucaira

MARYSVILLE

Beale Air Force Base
Marysville
Olivehurst
Yuba City
Yuba County Airport

MERCED

Merced
Merced Municipal Airport

MODESTO

Ceres
Empire
Escalon
Hughson
Keyes
Modesto
Modesto Municipal Airport
Oakdale
Ripon
Riverbank
Salida
Turlock
Waterford

MONTEREY

Army Language School, Monterey
Carmel
Carmel Valley
Del Rey Oaks
Fort Ord
Marina
Monterey
Monterey Peninsula Airport
Moss Landing
Naval Post Graduate School,
Monterey
Pacific Grove
Pebble Beach
Robles Del Rio
Salinas
Seaside
Watsonville

PALM SPRINGS

Bermuda Dunes
Cathedral City
Desert Hot Springs
Indian Wells
Indio
La Quinta
Palm Desert
Palm Springs
Palm Spring Municipal Airport
Rancho Mirage

PALMDALE

Acton
Air Force Plant 42
Edwards Air Force Base
General William J. Fox Airfield
Little Rock
Mojave
Palmdale
Quartz Hill
Rosamond

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REDDING

Redding
Redding Municipal Airport

SACRAMENTO

Broderick
Bryte
Carmichael
Citrus Heights
Davis
Del Paso Heights
Dixon
Elk Grove
Foothill Farms
Mather Air Force Base
McClellan Air Force Base
McClellan Field
Nimbus
North Highlands
North Sacramento
Rancho Cordova
Rio Linda
Rosemont
Roseville
Sacramento
Sacramento Municipal Airport
Sacramento Signal Depot
South Sacramento
Town and Country
West Sacramento
Woodland

SAN DIEGO

Bay Park Village
Bay View Terrace
Camp Elliott
Camp Pendleton
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encanto
Encinitas

SAN DIEGO (Concluded)

Escondido
Fallbrook
Fallbrook Naval Ammunition Depot
Grossmont
La Jolla
Lakeside
La Mesa
Lemon Grove
Leucadia
Lincoln Acres
Linda Vista
Lindbergh Field
Loma Portal
Miramar
Mission Beach
Mt. Helix
National City
Naval Air Station, Miramar
Naval Air Station, North Island
North Island
Ocean Beach
Oceanside
Old Town
Pacific Beach
Point Loma
Poway
Rancho Bernardo
Rolando Village
San Diego
San Marcos
Santee
San Ysidro
Solana Beach
Spring Valley
U. S. Naval Air Station, Miramar
Vista

SAN FRANCISCO

Alameda
Alamo
Albany
Antioch
Atherton
Avon

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SAN FRANCISCO (Continued)

Bayshore	Milpitas
Belmont	Moffett Field
Belvedere	Moraga
Benecia Army Arsenal	Mountain View
Berkeley	Mt. Eden
Brisbane	Napa
Burlingame	Naval Air Station-Alameda
Campbell	Naval Air Station-Moffett Field
Clayton	Naval Air Station-Oakland
Colma	Naval Communications Station
Concord	Naval Net Depot-Tiburon
Corte Madera	Naval Shipyard-Mare Island, Vallejo
Cowell	Newark
Crockett	Novato
Cupertino	Oakland
Daly City	Oakland Army Terminal
Danville	Oakland Municipal Airport
Dublin	Orinda
El Cerrito	Pacheco
Emeryville	Palo Alto
Fairfax	Petaluma
Fort Baker	Piedmont
Fort Barry	Pinole
Fort Cronkhite	Pittsburg
Fort Mason	Pleasant Hill
Fremont	Pleasanton
Hamilton Air Force Base	Port Chicago
Hayward	Redwood City
Headquarters-Sixth Army	Richmond
Headquarters-Twelfth Naval District	Richmond Annex
Hercules	Rodeo
Irvington	Ross
Kentfield	San Anselmo
Lafayette	San Bruno
Larkspur	San Bruno-District Public Works Office
Livermore	San Carlos
Lomita Park	San Francisco
Los Altos	San Francisco International Airport
Los Gatos	San Jose
Martinez	San Jose Municipal Airport
Menlo Park	San Leandro
Millbrae	San Lorenzo
Mill Valley	San Mateo
Mill Valley Air Force Station	San Pablo

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SAN FRANCISCO (Concluded)

San Quentin
San Rafael
San Ramon
Santa Clara
Saratoga
Sausalito
Sonoma
South San Francisco
Stanford
Sunnyvale
Tiburon
Treasure Island
Treasure Island Naval Station
Union City
Vallejo
Walnut Creek
West Pittsburgh

SANTA MARIA

Betteravia
Lompoc
Orcutt
San Luis Obispo
Santa Maria
Santa Maria Municipal Airport
Vandenberg Air Force Base

SANTA ROSA

Santa Rosa
Sonoma County Airport

STOCKTON

Lathrop
Lodi
Manteca
Naval Supply Annex
Sharpe General Depot
Stockton
Stockton Metropolitan Airport

VISALIA

Hanford
Tulare
Visalia
Visalia Municipal Airport

(END OF APPENDIX B)

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