

ORIGINAL

Decision No. 82512

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ASSOCIATED FREIGHT LINES, a)
California Corporation, for an)
extension of its Certificate of)
Public Convenience and Necessity)
to operate as a highway common)
carrier for the transportation of)
property in intrastate commerce.)

Application No. 53981
(Filed April 19, 1973;
amended November 23, 1973)

O P I N I O N

Applicant is a corporation organized and existing under the laws of the State of California. It operates over most of California west of the Sierras, to the Nevada border near Las Vegas, and from Laytonville south to the Mexican border as a certificated highway common carrier of general commodities in intrastate, interstate, and foreign commerce.

Applicant applied on April 19, 1973 for a substantial increase in its intrastate operating authority. Eight protests were filed and the application was scheduled for hearing. Applicant conferred with protestants and on November 23, 1973 an amended application was filed which eliminated most of the area applicant had applied to serve in its first pleading. All protests were then withdrawn and a public hearing is no longer necessary.

Applicant will provide an overnight service on Monday through Friday, excluding holidays. It is presently a party to the Western Motor Tariff Bureau, Inc. Agent tariffs in the area it now serves and will expand these tariffs to include its proposed service. Applicant is a large carrier with a total of 568 vehicles and trailers. It has nine terminals and 410 employees. Applicant's balance sheet dated December 31, 1972 shows total assets of \$3,554,380 and current liabilities of \$958,336.

The amended application requests authority to transport general commodities in intrastate commerce from San Francisco over Highway 1 to Santa Cruz, from Woodland and Sacramento to Red Bluff, Lincoln to Marysville, Sacramento to north of Oroville, Oroville to Red Bluff, Auburn and Williams to Nevada City, and Marysville to Beale Air Force Base. It is alleged that numerous shippers have requested service be extended to the expanded area applied for to eliminate interlining and lessen time in transit.

Findings

1. Applicant has the experience, equipment, personnel, and financial resources to institute and maintain the proposed service, as herein granted.
2. Public convenience and necessity require that applicant be authorized to engage in operations in intrastate commerce as proposed in the amended application and provided for in the order which follows.
3. The Commission finds with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.
4. A public hearing is not necessary.

The Commission concludes that the application should be granted as set forth in the ensuing order.

Applicant is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Associated Freight Lines, a corporation, authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, between the points and over the routes set forth in Appendix A, attached hereto and made a part hereof.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if it accepts the certificate it will be required, among other things, to comply with the safety rules of the California Highway Patrol and the insurance requirements of the Commission's General Order No. 100-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and amend or 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 authorized service.
- (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-Series.
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.
- (f) 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.

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

Dated at San Francisco, California, this 20th day of FEBRUARY, 1974.

Vernon L. Stinson
President
William L. Stinson
William L. Stinson
William L. Stinson
William L. Stinson
Commissioners

Associated Freight Lines, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to conduct operations as a highway common carrier as defined in Section 213 of the Public Utilities Code for the transportation of general commodities, except commodities in bulk, used household goods ^{1/}, wood chips and wood shavings, to, from and between points on the following routes, serving all intermediate and off-route points within five miles laterally:

- (1) From San Francisco, California, over California State Highway 1 to Santa Cruz, California, and return over the same route, inclusive;
- (2) From Woodland, California, over Interstate Highway 5 to Red Bluff, California, and return over the same route, inclusive;
- (3) From Lincoln, California, over California State Highway 65 to Marysville, California, and return over the same route, inclusive;
- (4) From Sacramento, California, over California State Highway 99 to Red Bluff, California, and return over the same route, inclusive;

^{1/}

The term "household goods," as used in this appendix, means personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals, or other establishments; and articles, including objects of art, displays, and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods.

Issued by California Public Utilities Commission.

Decision No. 82512, Application No. 53981.

- (5) From Sacramento, California, over California State Highway 70 to its junction with California State Highway 149 at a point approximately twelve miles north of Oroville, California and return over the same route, inclusive;
- (6) From Williams, California, over California State Highway 20 to Nevada City, California and return over the same route, inclusive;
- (7) From Auburn, California, over California State Highway 49 to Nevada City, California, and return over the same route, inclusive;
- (8) From Oroville, California, over California State Highways 149 and 99 to Red Bluff, California, and return over the same route, inclusive;
- (9) From Marysville, California, over unnumbered county road to Beale Air Force Base, California, and return over the same route, inclusive.

In performing the service herein authorized, carrier may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

Decision No. 82512, Application No. 53981.