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Decision No. 83747

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
RELIABLE DELIVERY SERVICE, INC.,
a 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 and interstate and
foreign commerce.

Application No. 55096
(Filed August 2, 1974)

O P I N I O N

Applicant Reliable Delivery Service, Inc., a California corporation, requests a certificate to operate as a highway common carrier in the transportation of general commodities, with certain exceptions, between the Los Angeles Basin Territory, on the one hand, and, on the other hand, points and places on and within 15 miles laterally of U. S. Highway 395 between Escondido and Temecula, and State Highway 86 between Coachella and the Imperial County Line. Applicant also requests that we find that public convenience and necessity require that applicant be authorized to engage in interstate and foreign commerce within the limits which do not exceed the scope of the intrastate operations which may be authorized by this decision. The application was duly noticed in the Federal Register and this Commission's Daily Calendar. No protests to the granting of the application were received.

Applicant conducts extensive highway common carrier operations in southern California under authority issued to it by Decision No. 74394 dated July 16, 1968 and Decision No. 82578 dated March 12, 1974. Those authorities permit applicant to operate over the requested highway segments but withhold from it the right to serve intermediate points. This application seeks to avoid those restrictions on service to and from the Los Angeles Basin Territory.

Applicant operates approximately 50 tractors, 87 semi-trailers, and 41 two-axle trucks in addition to other miscellaneous transportation equipment. For the six months ending June 30, 1974 it had a gross income from operations of \$1,797,000 with a net income of \$10,205. As of June 30, 1974 it had a net worth of \$100,000. Applicant represents that it will render overnight service Monday through Friday between the requested points; that it is presently a party to the Western Motor Tariff Bureau, Agent, Tariff Publications and that it will establish rates substantially in conformity with rates and charges presently published in those tariffs; that applicant has received numerous requests from various shippers to transport the involved commodities between the requested points; that the new service areas include resorts, private homes, Indian reservations, mountain and wilderness centers, summer camps, and mobile home parks; and that applicant is informed and believes that there is presently a lack of adequate and satisfactory highway common carrier service in intrastate, interstate, and foreign commerce to, from, and between the points sought to be served in the application.

After consideration the Commission finds that applicant possesses the necessary equipment, experience, and financial ability to conduct the proposed service, and that public convenience and necessity require that applicant be authorized to engage in operations in intrastate commerce as proposed in the application, and also require that applicant be authorized to engage in operations in interstate and foreign commerce within the limits which do not exceed the scope of the intrastate operations authorized by this decision. The Commission further finds with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment. The Commission concludes that the application should be granted as set forth in the ensuing order.

Applicant presently holds two separate certificates of public convenience and necessity as a highway common carrier which were granted by Decisions Nos. 74394 and 82578. By the order which follows the applicant will be required to file, within 180 days of the effective date of the order, a proposed in-lieu certificate consolidating the two certificates by eliminating any overlapping or duplicating operating authorities.

O R D E R

IT IS ORDERED that:

1. Appendix A of Decision No. 74394 dated June 3, 1969 in Application No. 49630 is hereby amended by incorporating therein First Revised Page 4 and First Revised Page 5 attached hereto and made a part hereof in place of Original Page 4 and Original Page 5, respectively.

2. Within sixty days after the effective date of the order hereof and on not less than ten days' notice to the Commission and to the public, applicant shall amend its tariffs presently on file with this Commission to reflect the authority granted herein.

3. Within one hundred and eighty days after the effective date of the order hereof, applicant shall file a proposed in-lieu certificate consolidating the two certificates granted by Decision No. 74394, as amended herein, and Decision No. 82578 by eliminating any overlapping or duplicating operating authorities. The proposed in-lieu certificate, in describing the territories and routes, should reflect the names of the redesignated highways and roads. Failure

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to file such proposed in-lieu certificate on a timely basis shall render the authority granted by this decision null and void for want of prosecution.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 26th
day of NOVEMBER, 1974.

Vernon L. Sturgeon
President
William J. Sturgeon
Robert E. Sturgeon
Robert E. Sturgeon
Commissioners

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Appendix A
(Dec. No. 74394)

RELIABLE DELIVERY
SERVICE, INC.
(a corporation)

First Revised Page 4
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9. Cotton, as listed under the heading in Items Nos. 31130, 31170, 31190 through 32260 of Western Classification No. 76, George H. Dumas, Agent, on the issue date thereof, between all points and places in Imperial County on the one hand and points within 25 miles of Blythe, Coachella and Hinkley, all on the other hand.
10. Save and except as otherwise herein provided, the authorities hereinabove set forth in paragraphs 6, 7, 8 and 9 do not include the right to render service to, from or between intermediate points.
11. Applicant shall not establish through routes and joint rates, charges and classifications as to the separate authorities hereinabove set forth in paragraphs 6, 7, 8 and 9.
12. Lateral miles referred to above are statute miles of 5,280 feet each measured in a straight line without regard to terrain features.

FROM POINTS AND PLACES IN PARAGRAPHS 1 THROUGH 9
ABOVE TO: ✓
13. Points on and within 15 miles laterally of U. S. Highway 395 between Escondido and Temecula.
14. Points on and within 15 miles laterally of State Highway 86 between Coachella and the Imperial County Line.

Issued by California Public Utilities Commission.

Amended by Decision No. ~~83747~~, Application No. 55096.

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Appendix A
(Dec. No. 74394)

RELIABLE DELIVERY
SERVICE, INC.
(a corporation)

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15. Points on and within five miles laterally of U. S. Highways 66 and 91 (including old U. S. Highway 66) between Victorville, Yermo and Newberry, inclusive, including the off-route point of Camp Irwin.
16. Points on and within five miles laterally of U. S. Highway 466 between Kramer Junction (Four Corners) and Barstow, inclusive.
17. Points on and within five miles laterally of U. S. Highway 395 between its intersection at U. S. Highway 66 and Kramer Junction (Four Corners) inclusive, (except as otherwise authorized).
18. Points on and within five miles laterally of State Highway 138 between its junction with U. S. Highway 66 and Pearblossom.

NOTE 1: No transportation for compensation on return is authorized in paragraphs 15, 16, 17 and 18 above, except for refused, returned or rejected shipments.

NOTE 2: Applicant is authorized to transport commodities produced from natural resources from Newberry to all presently authorized points.

Issued by California Public Utilities Commission.

Amended by Decision No. 83747, Application No. 55096.