

ANV

Decision No. 84451

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Devine & Son Trucking Co., a)
corporation, for modification of)
its highway common carrier cer-)
tificate of public convenience)
and necessity by excluding cer-)
tain commodities.)

Application No. 55497
(Filed February 19, 1975)

O P I N I O N

Devine & Son Trucking Co., a corporation, is authorized to operate as a highway common carrier for the transportation of general commodities, with certain specified exceptions, between points in northern California. This certificated authority was granted by Decision No. 59847 dated March 20, 1960 and has been thrice amended.

By this application, applicant requests that its certificate be further restricted to preclude the transportation of wood shavings, wood pieces and sawdust as a highway common carrier. The applicant, in a letter dated April 3, 1975, which clarifies the request, states that because of the specialized services it provides in transporting these commodities, it needs the flexibility to adjust its rates on short notice.

A copy of this application was served upon the California Trucking Association and was listed on the Commission's Daily Calendar for February 20, 1975. No protests have been received.

The Commission finds that public convenience and necessity no longer require applicant's services as a highway common carrier for the performance of the transportation service involved and concludes that the application should be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Appendix A of Decision No. 59847, as amended, is hereby further amended by substituting Fourth Revised Page 10, attached hereto and by reference made a part hereof, in lieu of Third Revised Page 10.

2. Within sixty days after the effective date 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 the Commission to reflect the authority herein granted.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20th day of May, 1975.

Vernon L. Sturgeon
President
William J. Lyons, Jr.
Donald E. ...
Leonard R. ...
Robert A. ...
Commissioners

7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
8. Logs, lumber and forest products.
9. Fresh or green fruits and fresh or green vegetables having origin in fields of growth and consigned to cold storage, canneries, packing sheds, packing houses, or other processing facilities, or consigned to reshipping points.
10. Cans, iron or steel, tin plated or not tin plated, with or without ends.
11. Cotton and cotton linters.
12. Commodities which because of length, height, width, or weight ordinarily require the use of specialized equipment or service, or the issuance of special highway permits by the State of California.
13. Commodities named in National Motor Freight Classification 100-A issued December 28, 1973 and effective March 29, 1974, viz.:
 - a. Asphalt Group, Items Nos. 15200 through 15440.
 - b. Roofing and Materials Group, Items Nos. 170000 through 170590.
 - c. Wallboard Group, Items Nos. 193640 through 193962.
 - d. Boards or Sheets, Item No. 112320.
- *D. Devine & Son Trucking Co., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport lumber and forest products (except sawdust, as that commodity is described in Item 113200, National Motor Freight Classification 100-B, effective April 1, 1975):

Between all points and places on the following described highways:

- (1) U.S. Highway 101 between the California-Oregon State Line and Santa Barbara, inclusive;
- (2) U.S. Highway 99, 99E and 99W between the California-Oregon State Line and the intersection of said highways with State Highway 138 near Gorman, inclusive;

Issued by California Public Utilities Commission.

*Amended by Decision No. 84451, Application No. 55497.