

Decision No. 84458

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of

U T S Freight Systems,
a California corporation,

and

Pacific Transportation and
Warehouse Co., Inc.,
a California corporation,

Application No. 54795
(Filed April 9, 1974)

for interim relief for U T S to
lease and temporarily control
and operate the Pacific authority,
and to control by stock purchase.

O P I N I O N

UTS Freight Systems (UTS), a California corporation, seeks authority to control Pacific Transportation and Warehouse Co., Inc. through acquisition of all issued and outstanding stock. Pacific Transportation and Warehouse Co., Inc. (Pacific) also requests our approval of the change of its name to Ameri-Con Cartage. The name change of Pacific is set forth in a certified copy of an amendment of Pacific's articles of incorporation in our formal file. We will approve the name change and Pacific is hereinafter referred to as Ameri-Con Cartage.

Ameri-Con Cartage, a California corporation, operates as a highway common carrier under a certificate of public convenience and necessity it acquired pursuant to our Decision No. 67855 dated September 15, 1964. It also operates in interstate and foreign commerce. The verified application states that because of ill health and age of its two sole shareholders they can no longer carry on operations. They have agreed to sell all issued and outstanding stock for \$32,000 to UTS.

UTS is a California corporation operating as a radial highway common carrier and highway contract highway carrier under permits issued in our File No. T-13,099. UTS has obtained ICC authority to consummate the acquisition by ICC order served December 3, 1974, No. MC-F-12086, No. MC-22987 (Sub-No. 6). The ICC order provides for cancellation of the certificate of registration of Ameri-Con Cartage and for issuance of an in lieu certificate authorizing operations in interstate and foreign commerce as a motor common carrier.

After review of the facts set forth in the application and the ICC order served December 3, 1974 the Commission finds that control of Ameri-Con Cartage by UTS would not be adverse to the public interest. Applicants' requests should be granted. A public hearing is not necessary. The action taken herein shall not be construed as a finding of value of the stock of Ameri-Con Cartage.

O R D E R

IT IS ORDERED that:

1. UTS Freight Systems may control Ameri-Con Cartage.

2. The certificate of public convenience and necessity of Ameri-Con Cartage is amended to reflect the name change from Pacific Transportation and Warehouse Co., Inc. to Ameri-Con Cartage, and said amended certificate is attached hereto as Appendix A.

3. Within ninety days after the effective date of this order Ameri-Con Cartage shall, in accordance with General Order No. 80-Series, amend or reissue the tariffs on file with the Commission to reflect the authority herein granted.

4. The tariff filings shall be made effective on not less than five days' notice to the Commission and the public.

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 Lyness Jr.
William Lyness Jr.
Leonard Ross
Robert Butner
Commissioners

Ameri-Con Cartage, 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 between all points and places in the Los Angeles Basin Territory, as described in Note A.

Except that pursuant to the authority herein granted carrier shall not transport any shipments of:

1. Used household goods and personal effects not packed in salesmen's hand sample cases, suitcases, overnight or boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting).
2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.
3. Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine or wethers.

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4. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
5. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Logs.
8. Articles of extraordinary value.
9. Explosives subject to U.S. Department of Transportation Regulations governing the Transportation of Hazardous Materials.
10. Commodities likely to contaminate or damage other freight.

NOTE A

LOS ANGELES BASIN TERRITORY

Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County Boundary Line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway 118, approximately two miles west of Chatsworth; easterly along State Highway 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary of the City of San Fernando to Maclay Avenue; northeasterly along Maclay Avenue and its prolongation to the Angeles National Forest Boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest Boundary to Mill Creek Road (State Highway 38); westerly along Mill Creek Road to Bryant Street; southerly along Bryant Street to and including the unincorporated

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community of Yucaipa; westerly along Yucaipa Boulevard to Interstate Highway 10; northwesterly along Interstate Highway 10 to Redlands Boulevard; northwesterly along Redlands Boulevard to Barton Road; westerly along Barton Road to La Cadena Drive; southerly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to State Highway 60; southeasterly along State Highway 60 and U.S. Highway 395 to Nuevo Road; easterly along Nuevo Road via Nuevo and Lakeview to State Highway 79; southerly along State Highway 79 to State Highway 74; thence westerly to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to The Atchison, Topeka & Santa Fe right-of-way; southerly along said right-of-way to Washington Road; southerly along Washington Road through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to Winchester Road (State Highway 79) to Jefferson Avenue; southerly along Jefferson Avenue to U.S. Highway 395; southerly along U.S. Highway 395 to the Riverside County-San Diego County Boundary Line; westerly along said boundary line to the Orange County-San Diego County Boundary Line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning, including the point of March Air Force Base.

(END OF APPENDIX A)

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