

Decision No. 86161

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of FRESNO BASS LAKE FREIGHT LINES, INC., a corporation, for a certificate of public convenience and necessity to extend highway common carrier service.

Application No. 56310
(Filed March 4, 1976;
amended May 14, 1976)

O P I N I O N

Applicant Fresno Bass Lake Freight Lines, Inc., a California corporation, requests a certificate of public convenience and necessity redescribing and clarifying its current certificated authority, eliminating alleged outdated and unnecessary restrictions, and extending its authority as more particularly set out in its application. The single protest received to the application was withdrawn upon applicant's amending its application. Applicant also requests a finding that public convenience and necessity require the proposed service in interstate commerce.

Applicant is presently authorized to transport general commodities between various points in Fresno, Mariposa, and Madera Counties; and Sierra National Forest and the Yosemite National Park, as more particularly set forth in Decision No. 80691. Applicant is also a permitted carrier and performs service pursuant to authority contained in File T93-106. The Interstate Commerce Commission has issued applicant a corresponding certificate of registration. Applicant contends that granting the application would permit it to provide a general commodity service of broader scope which would result in economies of operation benefiting the shipping public and better service to shippers. Service would be provided daily except

holidays and Sundays with applicant's existing equipment consisting of six trucks and a pickup truck. Applicant contends that it is financially capable of expanding its fleet of equipment if necessary. ✓
As of December 31, 1975 applicant had a net worth of \$56,797 and for the year ending on that date had a net income of \$3,726.

After consideration the Commission finds and concludes 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 limits which do not exceed the scope of the intrastate operations authorized by this decision. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. A public hearing is not necessary. Since this application is unopposed, the order will be made effective on the date of the decision.

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 Fresno Bass Lake Freight Lines, Inc., 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 of this decision.

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 a 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 administered by 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 April 30 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.

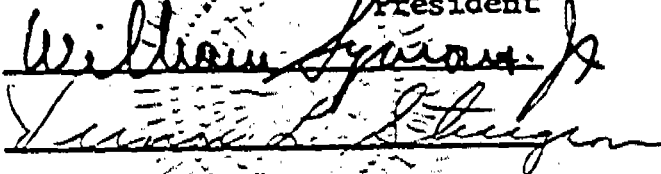
If applicant elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

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. 80691, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b).

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 27th
day of JULY, 1976.



President


Commissioners

Commissioner Leonard Riss, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A FRESNO BASS LAKE FREIGHT LINES, INC. Original Page 1
(a California corporation)

Fresno Bass Lake Freight Lines, Inc., a California corporation, 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 as follows:

- I. Between all points and places on and within 10 statute miles of the following routes :
 1. State Highway 41 between Fresno and Wawona.
 2. State Highway 168 between Fresno and Lakeshore.
 3. Trimmer Springs Road between Centerville and Trimmer.
 4. Friant Road, Roads 206, 210, 211 and 200 between Pinedale and Northfork.
 5. State Highway 49 between Oakhurst and Mariposa.
- II. Between all points and places on or within 10 statute miles north of State Highway 180 between Fresno and Cedar Grove.
- III. Between all points and places on or within 10 statute miles north and east of State Highway 145, Roads 600 and 613, and Ben Hur Road, between the junction of State Highways 145 and 41 and Mariposa.
- IV. 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.
- V. Service is authorized at the off-route points of Dunlap, Miramonte, Pine Hurst, Cedar Brook, all points and places in the Sierra National Forest, all points and places within 10 statute miles of Squaw Valley and the Buchanan Dam Site which is located on the Chowchilla River.

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

1. 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.
2. 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.
3. 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.
4. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers.
5. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
6. Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicle.
7. Logs.
8. Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper.

(END OF APPENDIX A)

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