

Decision 84 04 097

APR 18 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Moonlite Motor Express, Inc. for a
certificate of public convenience and
necessity to operate as a highway
common carrier.

Application 83-10-06
(Filed October 3, 1983)

O P I N I O N

Applicant is a California corporation with its principal place of business in South Gate, California. A copy of its articles of incorporation is attached to the application. It is operating as a highway contract carrier (Permit No. T-134,278) out of its terminal in South Gate and has applied herein for a certificate of public convenience and necessity for authority to operate as a highway common carrier of general commodities, with the usual exclusions.

Applicant has requested a service area in central and southern California. Rates charged will be from the Commission's Transition Tariffs. Applicant's operating fleet includes six tractors, two 28-foot and nine 45-foot van trailers, and two bobtail trucks. Additional equipment will be purchased or leased, if required.

It is alleged that many of applicant's customers are requesting a regular pickup and delivery service throughout Southern California. Letters were received from two shippers in support of the application. Fabricated Plastics, Inc. is a nationwide company with an expressed need for applicant's service in the Fresno, Palm Springs, and San Diego area. Clark Foam Products Corp. (Clark) also operates nationwide. A letter was received from its Riverside, California office which favors applicant's service to Los Angeles and Orange Counties. The Clark letter notes that business should spread

to new areas in California during 1984 and 1985 with dependence on transportation provided by the applicant.

Applicant's balance sheet indicates assets of \$184,000 and liabilities of \$95,000. Gross income for a recent three-month period was \$56,000.

The filing of the application was published in the Commission's Daily Transportation Calendar of October 6, 1983 and copies of the application were mailed to the California Trucking Association in Burlingame and to the Highway Carriers Association in South Gate, California. There have been no protests or requests for hearing.

Findings of Fact

1. Applicant has the equipment, financial resources, and ability to provide the proposed service.
2. Public convenience and necessity require the proposed operation.
3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. A public hearing is not necessary.

Conclusion of Law

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

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Moonlite Motor Express, Inc., a California corporation, authorizing it to operate as a highway common carrier, as defined in PU Code § 213, between the points listed in Appendix A.

2. Applicant shall:

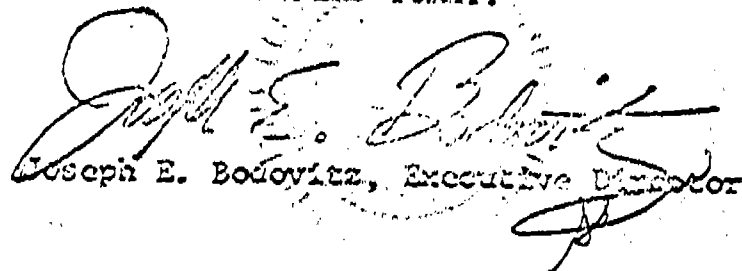
- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs within 120 days after this order is effective.
- c. State in its tariffs when service will start; allow at least 10 days' notice to the Commission; and make tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 80, 100, 123, and 147, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Comply with General Order Series 84 (collect-on-delivery shipments). If applicant elects not to transport collect-on-delivery shipments, it shall file the tariff provisions required by that General Order.

- g. Comply with General Order Series 102 and 130. If applicant elects to engage subhaulers, applicant shall have the required bond on file, and applicant shall engage only highway carriers who hold appropriate operating authority granted by this Commission.
3. The application is granted as set forth above. ✓
This order becomes effective 30 days from today.
Dated April 18, 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director

MOONLIGHT MOTOR EXPRESS, INC.
(a California corporation)

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Moonlight Motor Express, Inc., 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 Public Utilities Code Section 213 for the transportation of general commodities as follows:

Between all points and places within the
Counties of:

Alameda	Monterey	San Luis Obispo
Contra Costa	Napa	San Mateo
Fresno	Orange	Santa Barbara
Imperial	Riverside	Santa Clara
Kern	Sacramento	Santa Cruz
Kings	San Benito	Solano
Los Angeles	San Bernardino	Sonoma
Madera	San Diego	Stanislaus
Marin	San Francisco	Tulare
Merced	San Joaquin	Ventura

Except that under the authority granted,
carrier shall not transport any shipments of:

1. Used household goods and personal effects, office, store, and institution furniture and fixtures.
2. Automobiles, trucks, and buses, new and used.
3. Ordinary livestock.
4. Liquids, compressed gases, commodities in semiplastic form, and commodities in suspension in liquids in bulk in any tank truck or tank trailer.

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Appendix A

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5. Mining, building, paving, and construction materials, except cement or liquids, in bulk in dump truck equipment.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Portland or similar cements, either alone or in combination with lime or powdered limestone, in bulk or in packages, when loaded substantially to capacity.
8. Articles of extraordinary value.
9. Trailer coaches and campers, including integral parts and contents when contents are within the trailer coach or camper.
10. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
11. Explosives subject to U.S. Department of Transportation regulations governing the transportation of hazardous materials.
12. Fresh fruits, nuts, vegetables, logs, and unprocessed agricultural commodities.
13. Any commodity, the transportation or handling of which, because of width, length, height, weight, shape, or size, requires special authority from a governmental agency regulating the use of highways, roads, or streets.

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Appendix A

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14. Transportation of liquid or semisolid waste, or any other bulk liquid commodity in any vacuum-type tank truck or trailer.

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

(END OF APPENDIX A)

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- g. Comply with General Order Series 102 and 130. If applicant elects to engage subhaulers, applicant shall have the required bond on file, and applicant shall engage only highway carriers who hold appropriate operating authority granted by this Commission.

This order becomes effective 30 days from today.

Dated APR 18 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
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Commissioners