

ALJ/jt

Decision 84 05 072

MAY 16 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of UNITED TRANSPORTS, INC., dba WBV INC., for a certificate of public convenience and necessity to institute operations as a highway common carrier.

Application 83-10-55
(Filed October 31, 1983)

O P I N I O N

Applicant is a Delaware corporation with its principal place of business in Oklahoma City, Oklahoma. A copy of its Articles of Incorporation and Certificate of Qualification to do business in California are attached to the application. It has applied for a certificate of public convenience and necessity as a highway common carrier to authorize the transportation of motor vehicles in truckaway service between all points in the State of California.

Applicant has been an interstate transporter of motor vehicles for many years. It maintains terminals in the State of Texas at Amarillo, Arlington, El Paso, and Houston; also at Los Angeles, California; Oklahoma City, Oklahoma; and Kansas City, Missouri. Applicant operates 784 trucks and 840 trailers. All are large units designed to transport motor vehicles. A report filed with the Interstate Commerce Commission shows that applicant was operating in 18 states during May 1983. Applicant has provided a copy of the Quarterly Report of Results of Operations filed with the Interstate Commerce Commission for the second quarter of 1983. The report shows that applicant earned \$29,500,000 in gross income for the first six months of 1983 and operated at a profit.

Most of applicant's customers require transportation of large numbers of vehicles. California is considered a prime market and many shippers have requested that applicant provide continuous

transportation wholly within the State of California. Representatives of these shippers are those firms listed below:

1. Alamo Rent A Car: 800-1,000 cars annually between Los Angeles, San Diego, and San Francisco.
2. Avis Rent A Car: 500-1,000 cars annually between Los Angeles and San Francisco.
2. Hertz Rent A Car: 800-1,000 cars annually between Los Angeles and San Francisco.
4. Cal West Fleet: 1,000 cars annually between Los Angeles and San Francisco.

The filing of the application was noted in the Commission's Daily Calendar on November 4, 1983, and a copy of the application was mailed to the California Trucking Association and the above shippers. No protests or requests for hearing have been received.

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. No protest was received and a public hearing is not necessary.
5. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

Conclusion of Law

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

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to United Transports, Inc., a Delaware 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:

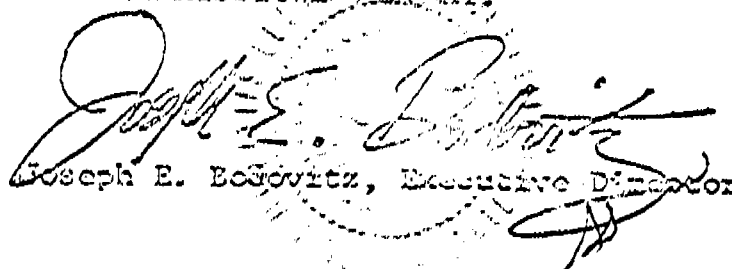
- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs within 120 days after this order is effective.
- c. State in its tariffs when service will start; allow at least 10 days' notice to the Commission; and make tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 80, 100, 123, and 151, 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 May 16, 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

Commissioner William T. Bagley,
being necessarily absent, did not
participate.

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


Joseph E. Bojovitz, Executive Director

United Transports, 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 motor vehicles in truckaway service as follows:

Between all points and places in the State of California.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

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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 MAY 16 1984, at San Francisco, California.

3. *This application is granted as set forth above.*

LEONARD M. GRIMES, JR.
President
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DONALD VIAL
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