

ORIGINAL

Decision 84 05 075

MAY 16 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ROBERT VANDERMEY, doing business)
as M.C.R. TRUCKING for a certificate)
of public convenience and necessity)
to operate as a highway common)
carrier under Public Utilities)
Code Section 1063.)

Application 84-02-57
(Filed February 29, 1984)

O P I N I O N

Robert Vandermey, an individual, doing business as M.C.R. Trucking, seeks authority as a highway common carrier to transport general commodities between all points in the Counties of Alameda, Marin, San Mateo, Santa Clara, Santa Cruz, Merced, Monterey, San Benito, Stanislaus, San Joaquin, Contra Costa, Solano, Sacramento, Yolo, Sonoma, Mendocino, Lake, Napa, Colusa, Sutter, Placer, and San Francisco. Applicant now holds highway contract carrier authority (T-138,630). The transportation proposed will be on call, subject to shipper demand.

A certificate supporting the application was filed by Peterson Tractor Company, which would use the transportation service proposed by applicant. According to applicant's balance sheet as of February 16, 1984, his total assets are \$144,050 and total liabilities are \$99,600, resulting in a net worth of \$44,450.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of March 5, 1984. No protests have been received.

Findings of Fact

1. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed transportation services.
2. Public convenience and necessity require the service proposed by applicant.
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. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.
5. A public hearing is not necessary.
6. Service by applicant should be commenced as soon as possible.

Conclusion of Law

The application should be granted.

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 Robert Vandermey, an individual, authorizing him to operate as a highway common carrier, as defined in PU Code Section 213, between the points listed in Appendix A.

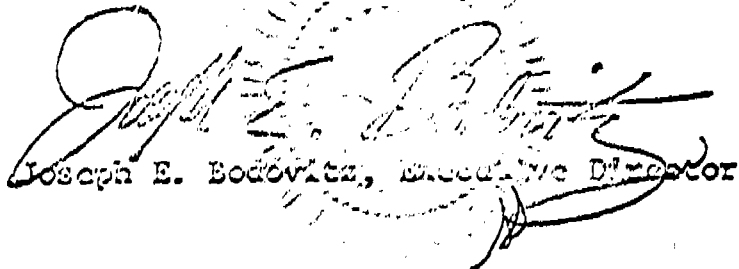
2. Applicant shall:
 - a. File a written acceptance of this certificate within 30 days after this order is effective.
 - b. Establish the authorized service and file tariffs within 120 days after this order is effective.
 - c. State in its tariffs when service will start; allow at least 10 days' notice 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 Orders 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. Bodovitz, Executive Director

ROBERT VANDERMEY
(an individual)
doing business as M.C.R. Trucking

Robert Vandermey, 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 within the following counties:

Alameda	Monterey	San Mateo
Colusa	Napa	Santa Clara
Contra Costa	Placer	Santa Cruz
Lake	Sacramento	Solano
Marin	San Benito	Sonoma
Mendocino	San Francisco	Stanislaus
Merced	San Joaquin	Sutter
		Yolo

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.
5. Mining, building, paving, and construction materials, except cement or liquids, in bulk in dump truck equipment.

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Appendix A

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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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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 Orders 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.

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