

ORIGINAL

Decision 84 06 137

JUN 20 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
MISSOURI-NEBRASKA EXPRESS, INC. for)	
a certificate of public convenience)	Application 84-04-042
and necessity to operate as a highway)	(Filed April 9, 1984)
common carrier under Public Utilities)	
Code Section 1063.)	
_____)	

O P I N I O N

Missouri-Nebraska Express, Inc., an Iowa corporation, seeks authority as a highway common carrier to transport general commodities to and from all points in California.

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar of April 13, 1984. No protests have been received.

Applicant neither currently holds nor has in the past held operating authority from this Commission. According to the application, "the applicant began interstate operations on April 8, 1976 under I.C.C. Certificate MC 22509. Since August 26, 1981, applicant has been operating in the movement of general commodities (except Classes A & B explosives) between points in the United States (except Alaska and Hawaii). Applicant is presently operating 225 heavy duty tractors and 342 van type trailers. Applicant's (sic) equipment is maintained in full compliance with all the applicable rules and regulations of the DOT and various State Laws. All drivers are fully qualified in accordance with applicable requirements and a systematic maintenance program is maintained. Applicant is presently and has been providing interstate service that more than satisfactorily

meets the needs of our shippers and this experience and dependability will be continued in the Intrastate Operations. There are no I.C.C. fitness proceedings of any kind pending against Applicant. Moreover, no such proceedings has (sic) been brought against applicant. Applicant is ready, willing, and able to handle the California shipper's needs."

A letter supporting the application was filed by National Can Corporation, which would use applicant's proposed service for its shipments within California. Applicant's balance sheet as of December 31, 1983 shows total assets of \$6,539,902, total liabilities of \$4,497,319, and stockholders' equity of \$2,042,583.

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.

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 Missouri-Nebraska Express, Inc., an Iowa corporation, authorizing it to operate as a highway common carrier, as defined in PU Code Section 213, between the points listed in Appendix A.

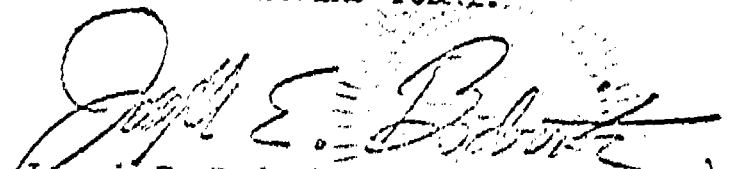
2. Applicant shall:

- 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 JUN 20 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

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. Explosives subject to U.S. Department of Transportation regulations governing the transportation of hazardous materials.
11. Fresh fruits, nuts, vegetables, logs, and unprocessed agricultural commodities.
12. 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.
13. 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)

Issued by California Public Utilities Commission.

Decision 84 06 137, Application 84-04-042.