

ALJ/md

Decision 84 06 158

JUN 20 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Washington California Express Inc.
 (sic), a corporation, for a certifi-
 cate of public convenience and
 necessity to operate as a highway
 common carrier for the transportation
 of general commodities, between points
 in the State of California.

Application 83-08-30
 (Filed August 5, 1983;
 amended March 23, 1984)

O P I N I O N

W-C-E, Inc. (applicant), a Pennsylvania corporation doing business in California as Washington-California Express, Inc., seeks a statewide certificate of public convenience and necessity as a highway common carrier of general commodities. Its principal office and terminal are located in Wilkes Barre, Pennsylvania.

Applicant holds interstate authority (MC-144584 Sub. No. 6). If granted a California certificate, it plans to participate in rate bureau tariffs or adopt Transition Tariff rates. It owns 18 tractors and numerous trailers.

At the end of 1982, applicant's balance sheet shows assets of \$792,000 including \$20,000 in cash and \$95,000 in accounts receivable. Its fleet and equipment are carried at a value of \$938,000 with a \$289,000 depreciation reserve. Its shareholder's equity includes \$388,000 of retained earnings. Its 1982 freight revenue was \$1.594 million, offset by operating expenses of \$1.484 million.

The application is supported by more than one shipper thus meeting the substantive requirements of Resolution 18191 of November 30, 1983.

Notice of the filing was given by publication in the Commission's Transportation Calendar of August 15, 1983 and was not protested.

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

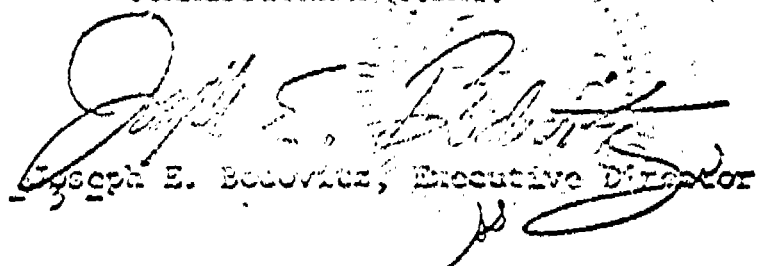
IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to W-C-E, Inc., a Pennsylvania 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 June 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. Bocovick, Executive Director

Appendix A

W-C-E, INC.
(a Pennsylvania corporation)
doing business as
WASHINGTON-CALIFORNIA EXPRESS, INC.

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W-C-E, 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 in the State of California.

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.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

Issued by California Public Utilities Commission.

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Appendix A

W-C-E, INC.
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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)

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 - 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.
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