

Decision 84 07 025

JUL 5 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
SCARDINA TRUCKING, INC. for a)
Certificate of Public Convenience)
and Necessity to operate as a)
highway common carrier under Public)
Utilities Code Section 1063.)

Application 84-03-23
(Filed March 6, 1984)

O P I N I O N

Applicant is a California corporation operating out of Chatsworth (Los Angeles County), California. 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 for the transportation of general commodities, with the usual exceptions, between all points in the State of California.

Frank Scardina and his wife, Virginia, are applicant's sole shareholders. Frank has more than ten years' experience as a permitted highway carrier hauling general commodities. Applicant holds a highway contract carrier permit (T-143,925), recently transferred from Frank N. Scardina, doing business as Frank Scardina Trucking. Applicant's operating equipment consists of one 3/4-ton van and three 1-ton vans. Applicant's balance sheet, dated January 31, 1984, shows assets of \$57,000, liabilities of \$28,000, and a net worth of \$29,000. The profit and loss statement shows net income of \$18,000 earned during the period from February 1, 1984 through April 30, 1984. Revenue during this period totaled \$68,000.

Many of applicant's shippers require service throughout the State of California. Five of these shippers are included in the following list of names:

1. McBain Instruments, Chatsworth, California
2. Rehardt McBain, Chatsworth, California
3. Graphics Research, Chatsworth, California
4. Concord Systems, Inc., Tarzana, California
5. Fortin Laminating, Sylmar, California

Applicant will not lease equipment from employees and will not engage subhaulers.

The filing of the application was noted in the Commission's Daily Transportation Calendar of March 12, 1984, and a copy of the application was mailed to the shippers identified in the previous paragraph. 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.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Scardina Trucking, 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 JUL 5 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO

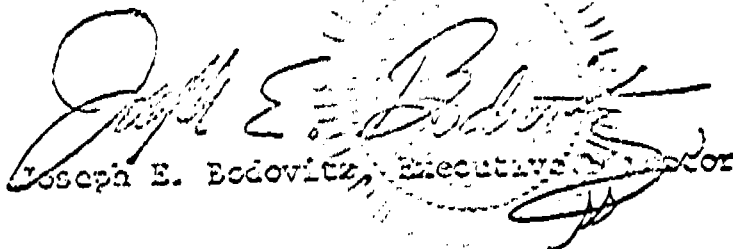
PRISCILLA C. CREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bodovitz, Executive Director

Scardina Trucking, 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.
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.

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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. 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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