

ORIGINAL

Decision 84 07 027 JUL 5 1984

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
 Bay Area Contract Transportation )  
 Services, Inc., doing business as )  
 CONTRACT TRANSPORTATION SERVICES, )  
 for a Certificate of Public )  
 Convenience and Necessity to )  
 operate as a Highway Common Carrier )  
 transporting general commodities in )  
 intrastate commerce, pursuant to )  
 the provisions of Sections 1063 and )  
 1064 of the Public Utilities Code. )

Application 84-01-40  
 (Filed January 19, 1984)

O P I N I O N

By this application, Bay Area Contract Transportation Services, Inc., a California corporation, doing business as Contract Transportation Services, requests a certificate of public convenience and necessity to transport general commodities, with the usual exceptions, between certain points and along certain routes, with service to intermediate points, in northern and central California, generally north of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties. No interstate or foreign commerce authority is sought.

Applicant holds a highway contract carrier permit issued in File T-135,817. Its principal place of business is in Sunnyvale. It has six vans, one truck, two 2-axle tractors, and three van trailers. It also leases another van trailer and intends to purchase additional power equipment. As of July 31, 1983, it had assets of \$325,281, liabilities of \$62,989, and a net worth of \$262,292. For the ten months ending July 31, 1983, it had total income of \$635,115 and a net income of \$113,244 after provision for income taxes.

The application states as follows:

1. Applicant has operated as a highway contract carrier since 1981 and is familiar with the intrastate transportation needs and requirements of shippers and consignees within the sought area.
2. Applicant presently serves approximately 35 shippers under contract in the proposed area. A certificate is a more appropriate authority for this service and would allow it to better serve the general public.
3. The proposed service would be daily, Monday through Friday, with on-call service on weekends and holidays.
4. If the authority is granted, applicant will adopt the applicable Commission transition tariffs.
5. Applicant has the financial ability to provide the proposed service.
6. The proposed service would not have an adverse effect upon the human environment or energy efficiency.
7. Public convenience and necessity require the proposed service.

Support statements from ten shippers who would use the proposed service are attached to the application. According to the statements, the shipments each would tender to applicant range from around 1,000 pounds to over 90,000 pounds per month.

The application was listed on the Commission's Daily Transportation Calendar of January 26, 1984. A copy was served on the California Trucking Association. There has been no protest to the sought certificate. It should be granted.

Findings of Fact

1. Applicant has the experience and ability to provide the proposed certificated service.
2. Applicant does not seek any interstate and foreign commerce authority in connection with the proposed service.

3. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

5. Public convenience and necessity require the proposed operation.

6. A public hearing is not necessary.

Conclusion of Law

The application should be granted as set forth in the following 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 Bay Area Contract Transportation Services, 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:

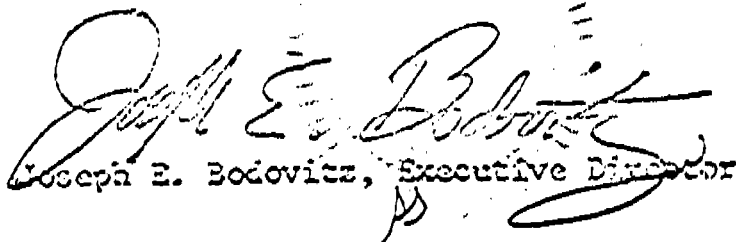
- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs within 120 days after this order is effective.
- c. State in its tariffs when service will start; allow at least 10 days' notice to the Commission; and 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. CRIMES, 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

BAY AREA CONTRACT  
TRANSPORTATION SERVICES, INC.  
(a California corporation)  
doing business as  
CONTRACT TRANSPORTATION SERVICES

Bay Area Contract Transportation Services, 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 the following points, serving all intermediate points on or within 100 statute miles of highways listed:

1. Crescent City and Salinas on U. S. Highway 101.
2. Weed and Stockton on Interstate Highway 5.
3. Stockton and Fresno on California Highway 99.

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.

Issued by California Public Utilities Commission.

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Appendix A

BAY AREA CONTRACT  
TRANSPORTATION SERVICES, INC.  
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CONTRACT TRANSPORTATION SERVICES

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