

Decision S2 04 098 APR 2 1 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ODESSY TRUCKING, INC., a California)
corporation, for a certificate of)
public convenience and necessity to)
operate as a highway common carrier)
for the transportation of property)
in intrastate and interstate and)
foreign commerce.)

Application 61123
(Filed December 11, 1981)

O P I N I O N

Odyssey Trucking, Inc. seeks a highway common carrier certificate under Public Utilities (PU) Code § 1063 to operate between all points and places in and south of the Counties of San Luis Obispo, Kern, and San Bernardino, hauling general commodities with the usual exceptions. Applicant presently operates as a highway contract carrier (T-127,787). It also plans to operate in interstate commerce under the registration provisions of 49 USC § 10931. We take official notice that notice of the filing was published in the Federal Register on January 6, 1982.

Applicant's July 1981 balance sheet shows a net worth of \$200,015. Its equipment list includes 14 two-axle vans.

Applicant states that it has received many requests from various shippers requiring service to, from, and between requested points and places in the State. It has been suggested that applicant's operation may be approaching that of a common carrier. It seeks a certificate of public convenience and necessity as a highway common carrier in intrastate and interstate and foreign commerce in order to provide the needed service and meet the demands of its shippers.

Applicant has notified the principal common carriers known to be operating between the points to be served. In addition to the notice appearing in the Federal Register, notice of the filing appeared in this Commission's Daily Calendar of December 14, 1981. No protests have been received.

Findings of Fact

1. A public hearing is not necessary.
2. Public convenience and necessity require that applicant be authorized to engage in intrastate commerce and in interstate and foreign commerce within the scope of intrastate operations authorized by this decision.
3. The following order complies with the guidelines in the Commission's Energy Efficiency Plan.
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.

Conclusion of Law

Applicant has demonstrated public convenience and necessity, and the application should be granted. The territory of the certificate does not exceed the geographical scope of the proposed operation as published in the Federal Register.

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 Odessy Trucking, Inc., a California corporation, authorizing it to operate as a highway common carrier, as defined in PU Code § 213, within the area described 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.

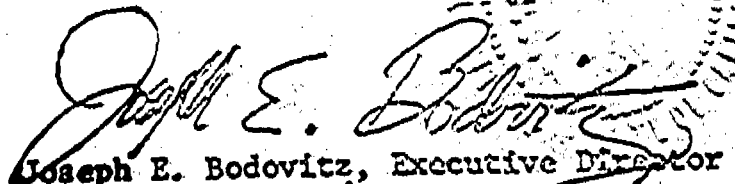
- c. State in its tariffs when service will start; allow at least 10 days' notice to the Commission; and make tariffs effective 10 or more days after this order is effective.
- d. Comply with General Order Series 80, 100, 104, and 147, and the California Highway Patrol safety rules.
- e. Maintain accounting 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 provision required by that General Order.

This order becomes effective 30 days from today.

Dated APR 21 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. CRIMES, JR.
VICTOR CALVO
PRISCILLA C. CREW
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY


Joseph E. Bodovitz, Executive Director

Appendix A

ODESSY TRUCKING, INC.
(a California corporation)

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Odessa 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 and south of the Counties of Kern, San Bernardino, and San Luis Obispo.

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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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 streets, roads, highways, and bridges necessary or convenient for the performance of this service.

(END OF APPENDIX A)