

Decision 82 07 029

JUL 7 - 1982

**ORIGINAL**

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

In the Matter of the Application of )  
 JACK M. CANTRELL, an individual )  
 doing business as J. M. TRUCKING, )  
 for a certificate of public )  
 convenience and necessity to operate )  
 as a highway common carrier for the )  
 transportation of general commodi- )  
 ties, with certain exceptions, in )  
 intrastate commerce between points )  
 in the State of California. )

Application 82-02-34  
 (Filed February 18, 1982)

O P I N I O N

This is an application in which Jack M. Cantrell, doing business as J. M. Trucking, seeks highway common carrier operating authority for the Los Angeles Basin Territory and a variety of points which encompass much of California.

Cantrell presently holds a highway contract carrier permit issued by this Commission under File T-124,851. His place of business is located at 7012 Stahov Avenue, Westminster, California.

Notice of the application was served on the California Trucking Association and appeared in the Commission's Daily Calendar of February 22, 1982. There have been no protests. Cantrell requests relief from the provisions of the Commission's Rules of Practice and Procedure which require wide distribution of the application.

Cantrell states that he has received numerous requests from various shippers having shipments moving within the territory he seeks to serve. In order to provide the requested service, he believes that a highway common carrier certificate is necessary.

Cantrell has two tractors and two trailers. He states he will also lease motor vehicles and utilize subhaulers to augment his own equipment.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Cantrell presently holds a highway contract carrier permit issued by this Commission.
3. During the 12 months ending December 31, 1981, Cantrell had operating revenues of \$139,883 and operating income of \$18,994.
4. Cantrell has the ability, including financial ability, to conduct the proposed operations.
5. Public convenience and necessity require that the application be granted for intrastate commerce.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
7. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

Conclusion of Law

The application, including Cantrell's request for relief from the provisions of Rule 21(f) of the Commission's Rules of Practice and Procedure, 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Jack M. Cantrell, an individual, authorizing him to operate as a highway common carrier, as defined in Public Utilities Code § 213, between the points and over the routes 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 his 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, 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, he shall file the tariff provisions required by that General Order.

3. Jack M. Cantrell's request for relief from the provisions of Rule 21(f) of the Commission's Rules of Practice and Procedure is granted.

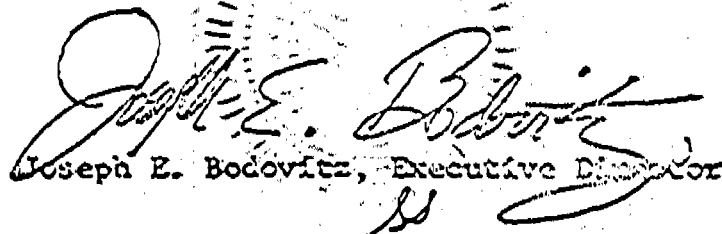
This order becomes effective 30 days from today.

Dated III 7 1982, at San Francisco, California.

RICHARD D. CRAVELLE  
LEONARD M. CRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. CREW  
Commissioners

Commissioner John E. Bryson,  
being necessarily absent, did  
not participate.

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

  
Joseph E. Bodovitz, Executive Director

Jack M. Cantrell, 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:

- A. Between all points and places in Los Angeles Basin Territory as described in Note A.
- B. Between all points on or within 25 statute miles of the following described routes:
  - 1. Interstate Highway 5 between Redding and San Ysidro.
  - 2. State Highway 99 between Red Bluff and Wheeler Ridge.
  - 3. U.S. Highway 101 between Crescent City and Los Angeles.
  - 4. Interstate Highway 10 between Los Angeles and Indio.

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5. Interstate Highway 80 between San Francisco and Truckee.
6. Interstate Highway 580 between Oakland and its junction with Interstate Highway 5 near Westley.

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.

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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. 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.
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.

## NOTE A

## LOS ANGELES BASIN TERRITORY

Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; northeasterly along the county line to the point it intersects State Highway 118, approximately two miles west of Chatsworth; easterly along State Highway 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along the corporate boundary of the City of San Fernando to Maclay Avenue; northeasterly along Maclay Avenue and its prolongation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to Mill Creek Road (State Highway 38); westerly along Mill Creek Road to Bryant Street; southerly along Bryant Street to and including the unincorporated community of Yucaipa; westerly along Yucaipa Boulevard to Interstate Highway 10; northwesterly along Interstate Highway 10 to Redlands Boulevard; northwesterly along Redlands Boulevard to Barton Road; westerly along Barton Road to La Cadena Drive; southerly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to State Highway 60; southeasterly along State Highway 60 and Interstate Highway 15 to Nuevo Road; easterly along Nuevo Road via Nuevo and Lakeview to State Highway 79; southerly along State Highway 79 to State Highway 74; westerly to the corporate boundary of the City of Hemet; southerly, westerly, and northerly along the corporate boundary to The Atchison, Topeka & Santa Fe right-of-way; southerly along the right-of-way to Washington Road; southerly along Washington Road through and

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including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to Winchester Road (State Highway 79) to Jefferson Avenue; southerly along Jefferson Avenue to Interstate Highway 15; southerly along Interstate Highway 15 to the Riverside County-San Diego County boundary line; westerly along the boundary line to the Orange County-San Diego County boundary line; southerly along the boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning, including the point of March Air Force Base.

(END OF APPENDIX A)