

ORIGINAL

Decision 82 08 024 AUG 4 - 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JOHN O. MILLS, dba)
BIG VALLEY EXPRESS, to transfer)
his Highway Common Carrier)
Certificate and CALIFORNIA/NEVADA)
BIG VALLEY EXPRESS, INC., a)
California corporation, to acquire)
said Certificate. (Public)
Utilities Code 851 and 1064.5.))

Application 82-03-12
(Filed March 3, 1982)

O P I N I O N

John O. Mills (transferor), dba Big Valley Express, has applied for authority to transfer his certificate of public convenience and necessity as a highway common carrier issued in Application 59997 by Decision 92831 under Public Utilities (PU) Code § 851. The transferee, California/Nevada Big Valley Express, Inc., is a California corporation in which transferor holds 25% of the stock. The certificate is the subject of a Certificate of Registration issued by the Interstate Commerce Commission in Docket No. MC-1557.

A notice of filing of this application appeared in the Commission's Daily Calendar of March 5, 1982. There are no protests or requests for hearing. ✓

Findings of Fact

1. The proposed transfer is not adverse to the public interest.
2. A public hearing is not necessary.
3. The new certificate will not broaden or change the interstate or foreign commerce rights now held by the transferor.

Conclusion of Law

The proposed transfer should be authorized.

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. John O. Mills may sell and transfer the operative rights and property specified in the application to California/Nevada Big Valley Express, Inc. This authority shall expire if not exercised by December 31, 1982, or within such additional time as the Commission may authorize.

2. Transferee shall:

- a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
- b. Amend or reissue transferor's tariffs. The tariffs shall not be effective before the date of transfer, nor before 5 days' notice is given to the Commission.
- c. Comply with General Orders Series 80, 100, 104, and 147, and the California Highway Patrol safety rules.
- d. Maintain accounting records in conformity with the Uniform System of Accounts.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to California/Nevada Big Valley Express, Inc., a corporation, authorizing it to operate as a highway common carrier, as defined in PU Code § 213, between the points and over the routes listed in Appendix A.

4. The certificate of public convenience and necessity granted by Decision 92831 is revoked on the effective date of the tariffs.

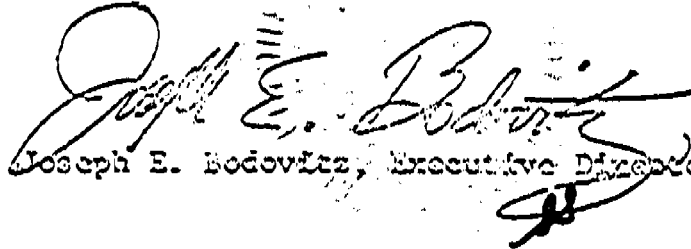
This order becomes effective 30 days from today.

Dated AUG 4 1982, at San Francisco,
California.

JOHN E. BRYSON
President
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. CREW
COMMISSIONERS

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.

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


Joseph E. Rodovitz, Executive Director

Appendix A

CALIFORNIA/NEVADA BIG VALLEY
EXPRESS INC.
(a California corporation)

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California/Nevada Big Valley Express, 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 Redding and Alturas, California, over State Highway 299, serving all intermediate points and off route points within 15 statute miles of State Highway 299.

Except that under the authority granted, carrier shall not transport any shipments of:

1. Used household goods, personal effects and office, store, and institution furniture, fixtures and equipment not packed in salesmen's hand sample cases, suitcases, overnight or boston bags, briefcases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting).

Issued by California Public Utilities Commission.

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2. Automobiles, trucks, and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis, freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses, and bus chassis.
3. Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine, or wethers.
4. Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles.
5. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicle.
8. Logs.

9. Articles of extraordinary value.
10. Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper.
- 11 Explosives subject to U.S. Department of Transportation regulations governing the transportation of hazardous materials.

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)