

Decision 82 03 026 AUG 4 - 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of STORER TRANSPORTATION SERVICE,)
INC. for a Certificate of Public)
Convenience and Necessity Author-)
izing Operations as a Highway)
Common Carrier.)

Application 82-03-24
(Filed March 8, 1982)

O P I N I O N

Storer Transportation Service, Inc. is primarily a passenger stage and charter-party carrier (PSC-930, TCP-188A). It also has obtained and now operates under a permit as a contract carrier of freight (T-108,307). Its operations are centered in Modesto. By this application, it proposes to operate as a highway common carrier in an area extending from the southern boundaries of San Luis Obispo, Kern, and San Bernardino Counties to the southern boundaries of Modoc, Siskiyou, and Del Norte Counties.

The principal officer of applicant, Warren Storer, claims to have substantial experience in the transportation business. He founded and built the current passenger bus operation which applicant now conducts in the Central California Valley (Valley) area. Storer states that his transportation experience, which has been acquired over many years in the passenger stage operation, provides a foundation for applicant's move into the motor carrier freight business.

Applicant plans to initially concentrate its operation in the Valley area. It claims that there are many small to medium-sized businesses in this area which require applicant's service. The operation will be tailored to meet their needs. There are few trucking companies with comparable facilities in applicant's area of operation; larger carriers located outside these communities do not emphasize service to the Valley area. Therefore, local shippers are allegedly in need of better transportation from a local operator.

Applicant intends to commence its business on a small scale. Initially, only a few tractors and trailers will be used to commence the common carrier operation. The freight operation will use the terminal and maintenance facilities which serve the passenger division. This terminal allegedly provides more than adequate space for vehicle parking, office space, and shop area for both operations.

Applicant served the principal highway common carriers and California Trucking Association. Notice of the filing appeared in the Commission's Daily Calendar of March 10, 1982. No protests have been received.

This application appears to offer a promising innovation. A carrier which is able to share its fixed costs between freight and passenger operations may be able to provide more extensive and less costly service in both fields than freight-only or passenger-only carriers.

Applicant's certificate as a passenger stage corporation now authorizes it to carry express packages on scheduled bus operations, up to 100 pounds as long as the transportation is incidental to passenger transportation. On sightseeing trips only baggage can be carried.

There will be no conflict between applicant's operations as a passenger carrier of express packages and as a highway common carrier, as pickup and delivery service will be accorded by applicant only in connection with its highway common carrier operations.

Findings of Fact

1. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed transportation services.
2. Public convenience and necessity require the service proposed by applicant.
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. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

5. A public hearing is not necessary.

Conclusion of Law

Applicant has demonstrated public convenience and necessity, and the application should be granted. The names of highways and roads in the certificate are those currently in use.

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 Storer Transportation Service, Inc., a corporation, authorizing it to operate as a highway common carrier, as defined in Public Utilities 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, 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 provisions required by that General Order.

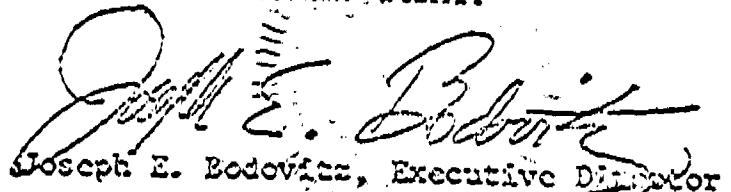
This order becomes effective 30 days from today.

Dated AUG 4 1982, at San Francisco, California.

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

Commissioner Richard D. Cravello, 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. Bodovitz, Executive Director

Storer Transportation Service, Inc., by the certificate of public convenience and necessity granted by 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 within an area south of the southern boundaries of Modoc, Siskiyou and Del Norte Counties and north of the southern boundaries of San Luis Obispo, Kern and San Bernardino Counties:

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.

Issued by California Public Utilities Commission.

Decision 82 08 026, Application 82-03-24.

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.
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.

Appendix A

STORER TRANSPORTATION SERVICE, INC.
(a California corporation)

Original
Page 3

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

(END OF APPENDIX A)