

Decision S2 11 066

NOV 17 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of RTC)
Transportation, Inc. to)
operate as a highway common)
carrier.)
_____)

Application 82-06-35
(Filed June 14, 1982)

O P I N I O N

RTC Transportation, Inc. (RTC), a Georgia corporation authorized to do business in California, holds extensive interstate operating rights from the Interstate Commerce Commission authorizing the transportation of general commodities, including refrigeration service. It does not hold any California intrastate authority but does have intrastate rights in some other states.

By this application RTC requests a certificate of public convenience and necessity to transport general commodities with the usual exceptions, excluding the one relating to special refrigeration and temperature-controlled equipment, between all points and places in California.

The application states as follows:

1. RTC has been in business since 1945 and has had substantial experience in the motor carrier transportation field.
2. RTC is engaged in extensive interstate transportation of general commodities, originating at or destined to points throughout California.
3. Customers tendering interstate traffic also have intrastate shipments moving to destinations throughout California. RTC's drivers, dispatchers, and operational and management personnel are familiar with the specialized transportation needs of these customers.

Many of the California customers cannot obtain the same specialized service offered by RTC from local carriers and have requested it to handle their intrastate shipments.

4. RTC has significant amounts of equipment moving to California customer locations for unloading. This equipment must then be moved empty to another customer location to pick up freight. This frequently involves deadheading equipment between places in the northern and southern parts of the State. If the requested authority is granted, RTC will be able to transport freight for its customers between areas it is now required to travel empty. This would not increase the number of vehicles on the highways, but would reduce overall fuel consumption for the highway carrier industry. It would also increase the efficiency of RTC's operation and the ability of shippers to obtain service.
5. Service would be generally overnight. RTC would adopt Transition Tariff 2. It would provide the truckload service with multiple stops throughout the large cities and small towns of the State required by its customers. It is of the opinion that existing long-haul carriers are not interested in this traffic and that the proposed service would cause only minimal diversion of traffic from any other carriers.
6. RTC owns and operates 1,787 tractors and 2,064 trailers. Much of this equipment is used in its California interstate service. It has terminal and office facilities in Modesto and Fontana.
7. Should the sought certificate be granted, RTC has financial resources to provide the proposed service and to obtain any

needed additional terminal facilities and equipment.

8. The granting of the application would not have an adverse effect on the environment or energy efficiency.
9. Public convenience and necessity require the proposed service.

As of December 27, 1981, RTC had assets of \$41,664,760, liabilities of \$30,058,534, and a stockholders' equity of \$11,606,226. For the year ended December 27, 1981, it had total operating revenues of \$127,184,749 and income after provision for income taxes of \$710,728. Due to a significant extraordinary credit its net income was substantially increased above this amount for the period.

The application was listed on the Commission's Daily Calendar and was served in accordance with the Commission's procedural rules on June 28, 1982. There are no protests to the sought certificate. We are of the opinion that the application should be granted.

Findings of Fact

1. RTC has the experience and ability to provide the proposed service.
2. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
3. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.
4. Public convenience and necessity require the proposed operation.
5. 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 RTC Transportation, Inc., a Georgia corporation, authorizing it to operate as a highway common carrier, as defined in PU Code Section 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.

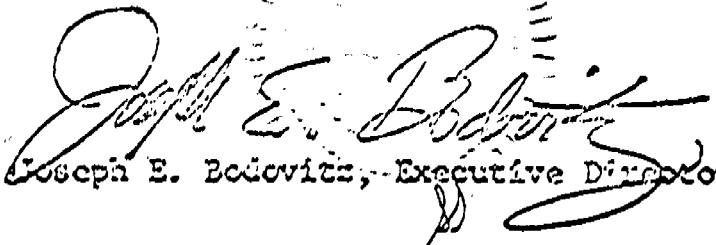
- f. Comply with General Order Series 84 (collect-on-delivery shipments). If applicant elects not to transport collect-on-delivery shipments, it shall file the tariff provisions required by that General Order.

This order becomes effective 30 days from today.

Dated NOV 17 1982, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director

RTC Transportation, 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 in the State of California:

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

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