

ORIGINAL

Decision 82 12 012 DEC 1 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
REBANDA TRANSPORTATION, INC. for)
certificate of public convenience)
and necessity authorizing operations)
as a highway common carrier.)

Application 82-02-48
(Filed February 19, 1982)

O P I N I O N

RebAnda Transportation, Inc. (RebAnda) is a California corporation. Its principal place of business is in Healdsburg. It operates under a highway contract carrier permit (T-133,764). RebAnda presently conducts its primary business (described below) under this permit. It holds common carrier authority (MC-150502) to perform a similar operation in interstate commerce. RebAnda has concluded that this primary business is highway common carriage. RebAnda seeks a statewide highway common carrier certificate to transport general commodities under Section 1063 of the Public Utilities (PU) Code.

RebAnda's primary business is the specialized transportation performed for musical rock groups and other performers in connection with concert tours given throughout the United States. RebAnda's interstate certificate authorizes it to transport "such commodities as are dealt in or used by (a) theatrical, (b) stage trade, and (c) industrial productions, between points in the United States."

According to applicant, the service is highly specialized, and unique, as each tour is different, and the transportation service is specially tailored to each tour group and concert engagement. RebAnda generally transports stage, lighting, props, and other concert-related equipment. RebAnda assertedly works closely with shippers to

ensure maximum flexibility. Shippers are assigned exclusive use of RebAnda's equipment.

Applicant indicates that, as its primary business of transporting equipment is seasonal, it seeks to transport other commodities as a highway common carrier in order that its equipment may be used on a continuous basis.

RebAnda owns six tractors and six trailers. It has assets of \$206,000, consisting principally of motor equipment. It had annual gross revenues in 1981 of about \$500,000, and net income of \$20,000.

Discussion

RebAnda's principal purpose in filing this application is to extend its nationwide interstate common carrier certificate to permit it to perform intrastate common carrier operations for musical concert groups. The tariff provisions applicable nationally apparently will be made applicable to its proposed intrastate operations in this field. While the portion of the public which requires this specialized service is not large, applicant intends to meet the transportation needs of this specific portion of the public as a common carrier. A certificate for that service is clearly warranted and should be authorized.

RebAnda seeks a statewide certificate for the transportation of general commodities so that it may operate as a highway common carrier in providing service to other segments of the public during the slack periods of its primary business. It will be reasonable to grant this request so that RebAnda may have the opportunity to achieve profitable intrastate common carrier operations.

RebAnda owns six tractors and six trailers. It has assets of \$206,000, consisting principally of motor carrier equipment. It has \$20,000 in capital stock and a similar amount of retained earnings. Its 1981 annual gross revenues were approximately \$500,000, and its net income for that period was \$20,000.

Notice of the filing of this application appeared on the Commission's Daily Calendar. There are no protests or requests for public hearing.

Findings of Fact

1. RebAnda holds a certificate to operate as a highway common carrier in interstate commerce to transport commodities dealt in or used by theatrical, stage trade, and industrial stage productions throughout the United States.

2. RebAnda seeks an intrastate statewide certificate under PU Code Section 1063 to perform the service described in the above finding and to transport general commodities.

3. RebAnda has the experience, personnel, equipment, and financial resources to perform the proposed operation.

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.

5. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.

6. Public convenience and necessity require the proposed operation.

7. 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 operating 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:

A certificate of public convenience and necessity is granted to RebAnda Transportation, Inc., a California 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.

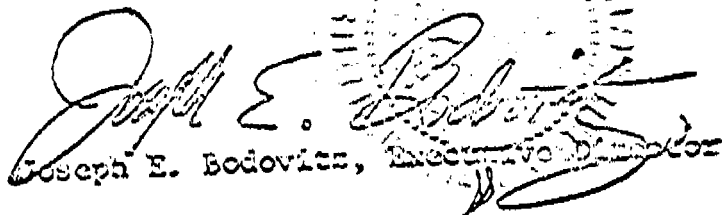
- f. Comply with General Order Series 84 (collect-on-delivery shipments). If applicant elects not to transport collect-on-delivery shipments, it shall file the tariff provisions required by that General Order.

This order becomes effective 30 days from today.

Dated DEC 1 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

Appendix A REBANDA TRANSPORTATION, INC. Original Page 2
(a California corporation)

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.

Issued by California Public Utilities Commission.

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