

ORIGINAL

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Decision 82 12 013 DEC 1 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

Application 82-05-55  
 (Filed May 20, 1982)

O P I N I O N

Ram Trucking, Inc. (Ram), a California corporation, was granted a highway common carrier certificate by Decision 92464 dated December 2, 1980 in Application 59379. The certificate authorizes the transportation of general commodities in an area bounded by San Francisco and Red Bluff, on the north, and Salinas and Kingsburg, on the south. The following restrictions are included in the certificate: (1) service is limited to shipments weighing 10,000 pounds (lbs.) or more or for which charges are based on a 10,000-lb. minimum weight and (2) service shall not be provided for commodities moving in ocean or sea-van containers. Ram also holds coextensive interstate authority which includes the same two restrictions. It also holds an intrastate, statewide, general commodities highway contract carrier permit and other permits.

By this application Ram seeks a highway common carrier certificate for all parts of the State not included in its present certificate, authorizing the transportation of general commodities with the usual exceptions. It requests that the 10,000-lb. minimum shipment limitation and prohibition against shipments in ocean and sea-van containers in its present certificate not be included in the sought certificate. No additional interstate authority is sought by Ram.

The application states as follows:

1. Ram has been conducting extensive operations between all points in California under its existing certificated and permitted authorities. There has been a continual increase in the requirements and demands of the public for transportation in the area served under its contract authority and a resulting rapid growth in its frequency and regularity of service. Because of this, statewide certificated authority is required to enable Ram to continue its operations in a manner that will benefit the shipping public and be consistent with applicable regulations.
2. The 10,000-lb. and container restrictions in Ram's current certificate are unreasonable and should be removed. Such shipments in its present certificated area must now be handled under its contract authority; whereas, other shipments in this area are handled under its certificated authority. Ram seeks to provide common carrier service for any weight or size of shipment within its capability throughout the state, and the public desires such service.
3. The proposed service would be on a daily basis, Monday through Friday. Time in transit would be same day or overnight, depending on when requests for service are received and the distances involved.
4. Ram will publish rates in conformity with Transition Tariff 2 and other pertinent Commission tariffs.
5. Ram's principal place of business is located in Davis. It operates 21 tractors, 22 dollies, and 88 trailers of various types. It has the financial ability to provide the proposed service and to obtain any additional equipment that may be required.
6. Since applicant is already operating in the sought certificated area under its contract

authority, the granting of the application will have no significant effect on the quality of the human environment.

7. Public convenience and necessity require the proposed certificated service.

As of December 31, 1981, Ram had assets of \$313,647, liabilities of \$260,982, and a shareholders' equity of \$52,665. For the year 1981, it had operating revenues of \$1,289,245 and a net loss of \$47,353. For this period its retained earnings were \$80,018 at the beginning and, by making an adjustment for the loss, \$32,665 at the end.

The application was listed on the Commission's Daily Calendar and was served in accordance with the Commission's procedural rules on May 27, 1982. There are no protests to the sought authority. We are of the opinion that the application should be granted.

As indicated, Ram's present certificate is registered with the Interstate Commerce Commission (ICC), and it does not request a finding that the proposed service is required in interstate and foreign commerce. For this reason it would not be appropriate to issue an in-lieu certificate incorporating its present and proposed certificated service. A new additional certificate will be issued to Ram for the highway common carrier service granted by this decision. It will authorize Ram to transport general commodities with the usual exceptions in all parts of the state not covered by its present certificate.

Findings of Fact

1. Ram operates under a highway common carrier certificate which authorizes the transportation of general commodities within an area bounded by San Francisco and Red Bluff, on the north, and Salinas and Kingsburg, on the south. The certificate includes the following restrictions: (1) service is limited to shipments weighing 10,000 lbs. or over or for which charges are based on a 10,000-lb. minimum weight and (2) service shall not be provided for shipments in ocean or sea-van containers. By registering this certificate with the ICC, Ram holds coextensive interstate authority with the same two restrictions. It also operates under an intrastate, statewide, general commodities highway contract carrier permit.
2. Ram seeks a highway common carrier certificate, for all parts of the State not included in its present certificate, with the usual exceptions and without the two restrictions in its present certificate referred to in Finding 1.
3. Ram does not request a finding that the proposed additional certificated service is required in interstate and foreign commerce.
4. Ram has the experience and ability to provide the proposed service.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
6. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.
7. Public convenience and necessity require the proposed operation.
8. 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 Ram Trucking, Inc. a 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.

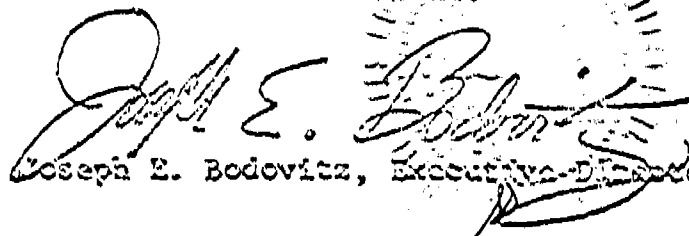
- f. Comply with General Order Series 84  
(collect-on-delivery shipments).  
If applicant elects not to transport  
collect-on-delivery shipments, it  
shall file the tariff provisions  
required by that General Order.

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

RAM TRUCKING, INC.  
(a California corporation)

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Ram Trucking, 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 following:

The transportation of general commodities between all points and places in the State of California (except between the points and places which the carrier is presently authorized to serve under certificated authority granted by Decision 92464 dated December 2, 1980 in Application 59379).

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.

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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.
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.

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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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