

Decision 83 02 018 FEB 2 - 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Kent Douglas, an individual, doing business as Kent Douglas Trucking, for a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of property pursuant to Section 1063-1064 of the California Public Utilities Code.

Application 82-08-05
(Filed August 2, 1982)

O P I N I O N

Applicant Kent Douglas, an individual doing business as Kent Douglas Trucking with headquarters at Ventura, requests a certificate as a highway common carrier to transport general commodities, with the usual exceptions, (a) between all points and places within all counties located south of an east-west line drawn along the northern boundaries of San Luis Obispo, Kern, and San Bernardino counties and (b) between all points and places in (a) above and all points and places located within the Counties of Monterey, Sacramento, Solano, Sonoma, and Yolo, except that no local service shall be performed within the territory comprising Metropolitan Zones 301 through 312. The application was noticed in the Commission Daily Transportation Calendar of August 5, 1982. No protests to the application have been received.

Applicant currently operates under a highway contract carrier permit between all points in the State under File T-133,511. He operates three tractors and four trailers. As of December 31, 1981 he had a net worth of \$47,000 and for the 12 months ending on that date had a gross revenue of \$149,000 and a net profit before taxes of \$54,000. Applicant states that he is prepared to add to his fleet whatever additional equipment may be necessary if the application is granted.

Applicant states he has received many requests from shippers who would like to use his services in the transportation of general commodities, especially those used in well drilling operations. Fulfilling these requests for service could possibly exceed in both number and regularity the scope of transportation that is considered permitted carriage. Applicant states there has been an increase in oil exploration in the State, particularly in Kern and Ventura Counties, and in geothermal well drilling, particularly in Imperial and Sonoma Counties. This increased activity has caused new firms to enter the field and often makes it necessary for applicant to accept business on short notice where new points of origin and destination are involved.

Findings of Fact

1. Applicant requests a certificate to operate as a highway common carrier between points previously described.
2. Applicant currently operates as a highway contract carrier.
3. Applicant operates three tractors and four trailers.
4. As of December 31, 1981 applicant had a net worth of approximately \$47,000 and for the 12 months ending on that date had a net profit from his trucking operations of \$54,000 before taxes.
5. A major source of applicant's business is in hauling well drilling equipment, materials, and supplies.
6. Applicant has received many requests from shippers of commodities used in well drilling who would like to use his services. Fulfilling these requests for service could possibly exceed in both number and regularity the scope of transportation that is considered permitted carriage.
7. Applicant is financially fit to conduct the proposed operation.
8. Public convenience and necessity require the issuance of the requested certificate.

9. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

10. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

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 Kent Douglas, an individual, authorizing him to operate as a highway common carrier, as defined in PU 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 his 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, 123, 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 24 (collect-on-delivery shipments). If applicant elects not to transport collect-on-delivery shipments, he shall file the tariff provisions required by that General Order.

This order becomes effective 30 days from today.

Dated FEB 2 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director

Appendix A

Kent Douglas
(an individual)
doing business as
KENT DOUGLAS TRUCKING

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Kent Douglas, an individual, 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:

- a. Between all points and places south of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties.
- b. Between all points and places named in (a) above, on the one hand, and all points and places in the Counties of Monterey, Sacramento, Solano, Sonoma, and Yolo, on the other hand.

(Exclusion: No shipments shall be transported where the origin and destination are both within the territory comprised of Metropolitan Zones 301 through 312, as described in Distance Table 8 issued by the Public Utilities Commission of 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.

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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.
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.

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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.
14. Commodities and shipments within geographic areas exempt from rate regulation, as described in Commodities and Geographic Areas Exempt from Rate Regulation issued by the Public Utilities Commission of the State of California on June 15, 1982 (Decision 82-06-091 in OII 85).

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)

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