

Decision 83 04 024 APR 8 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of OREGON FREIGHTWAYS, INC., an
Oregon corporation, for a
Certificate of Public Convenience
and Necessity to Operate as a
Highway Common Carrier, Pursuant
to Section 1063 of the Public
Utilities Code.

Application 82-11-23
(Filed November 12, 1982;
amended November 29, 1982
and January 6, 1983)

O P I N I O N

Applicant Oregon Freightways, Inc., an Oregon corporation authorized to do business in California, requests a certificate of public convenience and necessity to operate as a highway common carrier in the transportation of general commodities, with the usual exceptions, but including shipments requiring mechanical refrigeration, between points and over a variety of regular routes as more particularly described in the application. Notice of the filing of the application was published in the Commission's Daily Calendar on November 15, 1982 and the amendments were published in the Commission's Daily Transportation Calendar of December 3, 1982 and January 11, 1983. A copy of the application was served on the California Trucking Association. No protests to the application have been received.

Applicant currently operates as a highway common carrier in interstate commerce between certain counties in Oregon and Washington and Del Norte and Humboldt Counties in California under a certificate issued to it by the Interstate Commerce Commission on June 2, 1982.

Applicant presently possesses no California motor carrier operating authority. In its present operation it operates six line tractors, nine sets of double trailers, and a variety of other local equipment. During applicant's first month of operation--July 1982--applicant had a gross income of \$128,977 and a net profit of \$8,086. Applicant's balance sheet attached to the application shows that as of July 31, 1982 applicant had total assets of \$821,674 and total liabilities of \$952,305 and a net worth of (\$130,631). Its ratio of current assets to current liabilities is .874 to 1. Applicant employs approximately 26 persons, including 18 drivers and helpers, three terminal managers, two sales people, and three management personnel. Applicant contends these individuals are skilled and capable of providing satisfactory trucking service.

Applicant states that if granted the requested certificate, it will establish rates, rules, and regulations applicable to the transportation of general commodities found in Western Motor Tariff Bureau 570-A, which are claimed by applicant to be equal to or higher than the rates usually applied to general commodities found in Transition Tariff 2. Applicant proposes to provide expedited services Monday through Friday for pickup and delivery of both truckload and less-than-truckload shipments moving between all authorized points in California. Applicant states it is willing and able to make late evening pickups and Saturday deliveries.

The application is supported by four shippers: Simpson Paper Company, located at Anderson, Ripon, Fairhaven, and Pomona, California; Gibson Greeting Cards, Inc., Cerritos, California; Floor Covering Distributors Cooperative Corp., South El Monte, California; and Pacific Coast Warehouse Corporation, Los Angeles, California. Each of the four shippers expressed a need for applicant's service and indicated they would use that service.

Because of the need for applicant's service, this order should be effective immediately.

Findings of Fact

1. Applicant requests a certificate to operate as a highway common carrier between points and over a variety of regular routes more particularly set out in the application.
2. Applicant has conducted interstate trucking operations for a short while between certain counties in Washington and Oregon and Del Norte and Humboldt Counties in California.
3. Applicant employs 26 persons, including 18 drivers and helpers, three terminal managers, and other personnel.
4. During applicant's first month's trucking operations in July 1982, applicant grossed \$128,977 and had a net profit from those operations of \$8,086.
5. As of July 31, 1982 applicant had a net worth of (\$130,631) and a ratio of current assets to current liabilities of .874 to 1.
6. Applicant proposes to provide expedited service Monday through Friday for pickup and delivery of both truckload and less-than-truckload shipments as well as late evening pickups and Saturday deliveries.
7. The application is supported by four shippers who expressed a need for applicant's service and indicated they would use applicant's service if this application is granted.
8. Applicant has sufficient financial resources to conduct the proposed operation.
9. Public convenience and necessity require the granting of the requested certificate.
10. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

The requested certificate should be granted. A public hearing is not necessary.

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 Oregon Freightways, Inc., an Oregon corporation, authorizing it to operate as a highway common carrier, as defined in Public Utilities Code § 213, between the points and over the routes 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, 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 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 is effective today.

Dated APR 6 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

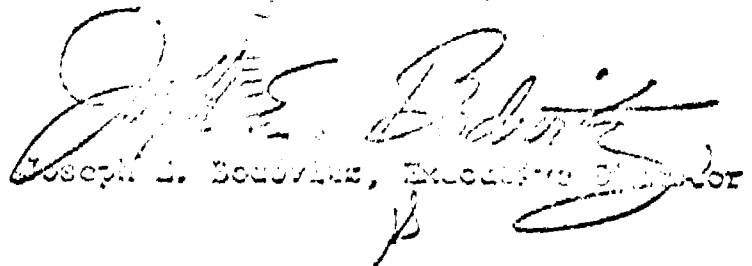
VICTOR CALVO

PRISCILLA C. GREW

DONALD VIAL

Commissioners

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


Joseph L. Bouviers, Executive Director

Oregon Freightways, 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 and places on and within 50 statute miles of the following routes:

1. Via Interstate Highway 5 between its intersection with the California-Mexico border and its intersection with the California-Oregon border.
2. Via U.S. Highway 101 between its intersection with the California-Oregon border and the City of Los Angeles.
3. Via State Highway 299 between its intersection with U.S. Highway 101 near Arcata, and Alturas.
4. Via U.S. highway 199 between its intersection with U.S. Highway 101 near Crescent City, and its intersection with the California-Oregon border.
5. Via State Highway 99 between Red Bluff and Marysville.
6. Via State Highway 65 between Marysville and Roseville.
7. Via Interstate Highway 80 between San Francisco and its intersection with the California-Nevada border near Truckee.
8. Via State Highway 17 between its intersection with U.S. Highway 101 in San Jose, and Santa Cruz.

9. Via Interstate Highway 680 between its intersection with State Highway 17 in San Jose, and its intersection with Interstate Highway 80 near Cordelia.
10. Via Interstate Highway 580 between its intersection with State Highway 17 in Oakland and its intersection with Interstate Highway 5 near Vernalis.
11. Via U.S. Highway 50 between Sacramento and its intersection with the California-Nevada border at South Lake Tahoe.
12. Via State Highway 99 between Sacramento and its intersection with Interstate Highway 5 at Wheeler Ridge.

In performing the service authorized, carrier may make use of any and all public streets, roads, highways, and bridges necessary or convenient for the performance of this service.

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.
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.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

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