

Decision 83 05 075 MAY 18 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Western Garment Delivery, Inc.,)
a California corporation, for a)
Certificate of Public Convenience)
and Necessity authorizing the)
transportation of general)
commodities between points in)
California.)

Application 83-01-29
(Filed January 17, 1983)

O P I N I O N

Western Garment Delivery, Inc. (applicant) is a California corporation. A certified copy of its Articles of Incorporation are on file with the Commission. It operates as a statewide transporter of general commodities throughout California, under authority of a Highway Contract Carrier Permit issued in File T-131,284. Applicant's office and principal place of business is located in Gardena, California.

Applicant has applied under Public Utilities (PU) Code Section 1063 for a certificate of public convenience and necessity to authorize the transportation of general commodities, with the usual exceptions, between all points in the State of California.

Applicant will operate primarily in the Counties of Los Angeles, Orange, San Diego, Imperial, Riverside, San Bernardino, Ventura, Kern, San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, Monterey, Sacramento, San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare. Service will be over irregular routes with terminals in Los Angeles and the Bay area. Daily service will be provided in the Counties of Los Angeles, Orange, San Diego, Riverside, San Bernardino, Ventura, San Francisco,

San Mateo, Santa Clara, Alameda, Contra Costa, and Monterey. On-call service will be provided in the remainder of the area.

Applicant is presently a distribution carrier, transporting less than truckload and truckload quantities in intrastate and interstate traffic to or from warehouses, consolidators, or distribution companies. Most of the cargo handled is department store merchandise; however, applicant also handles interstate traffic moving incidental to air transportation, or within the terminal zone of interstate motor carriers. The shippers represented have requested and require service to all points in California. Applicant's service has been requested because of its familiarity with its customers' requirements and products.

Applicant's balance sheet dated October 31, 1982 shows assets of \$151,000 and liabilities of \$77,000; revenues on trucking total \$867,000. Applicant mailed a copy of the application to the California Trucking Association in Burlingame on December 22, 1982, and notice of the filing of the application was published in the Commission's Daily Calendar on January 20, 1983. No protests or requests for hearing have been received.

Findings of Fact

1. Applicant possesses the experience, equipment, personnel, and financial resources to institute and maintain the proposed service.
2. Public convenience and necessity require that the service proposed by applicant be established.
3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. 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 Western Garment Delivery, 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, 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.

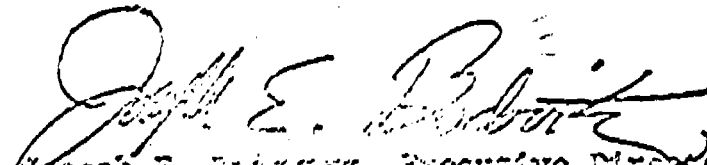
This order becomes effective 30 days from today.

Dated MAY 18 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
FRISCILLA C. CREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director

Western Garment Delivery, 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 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. Trailer coaches and campers, including integral parts and contents when contents are within the trailer coach or camper.
9. Explosives subject to U.S. Department of Transportation regulations governing the transportation of hazardous materials.
10. Fresh fruits, nuts, vegetables, logs, and unprocessed agricultural commodities.
11. 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.
12. 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 public streets, roads, highways, and bridges necessary or convenient for the performance of this service.

(END OF APPENDIX A)

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