

Decision 83 06 014 JUN 1 1983

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
ROOT TRUCKING, INC., a California )  
corporation, for a certificate of )  
public convenience and necessity to )  
operate as a highway common carrier )  
for the transportation of general )  
commodities, with certain )  
exceptions, between points in )  
California. )

Application 83-01-16  
(Filed January 11, 1983)

O P I N I O N

This is an application in which Root Trucking, Inc. (Root) seeks highway common carrier operating authority between all points and places in California.

Notice of the application appeared in the Commission's Daily Calendar on January 14, 1983. There have been no protests.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Root presently holds a highway contract carrier permit in File No. T-139,468, issued by this Commission.
3. Root is the successor to a partnership of Harry Root, Barry Root, and Garry Root who did business as Root Trucking. Harry Root has had more than 25 years' experience operating a for-hire motor carrier business in California. The other officers of Root have experience in the transportation field.
4. For the seven months ending July 31, 1982, Root had operating income of \$326,596, a gain on the sale of trucks of \$32,057, and net income of \$111,978. Root's assets less depreciation total \$408,157.

5. Root has 14 pieces of operating equipment.
6. Root has the ability, including financial ability, to conduct the proposed operations.
7. Three shippers have submitted statements indicating their need for the proposed service and state they will use the service if the requested authority is granted.
8. Public convenience and necessity require that the application be granted.
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. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

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 Root Trucking, Inc., a corporation, authorizing it to operate as a highway common carrier, as defined in Public Utilities 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.

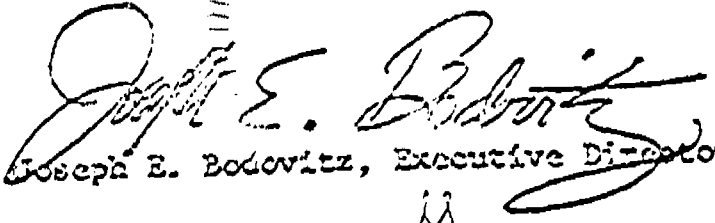
- c. State in its tariffs when service will start; allow at least 10 days' notice to the Commission; and make tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 80, 100, 123, and 147, and the California Highway Patrol safety rules.
- e. Maintain accounting 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 JUN 1 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

Root 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 transportation of general commodities as follows:

between all points and places 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.
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.

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Decision 83 06 014, Application 83-01-16.

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 public streets, roads, highways, and bridges necessary or convenient for the performance of this service.

(END OF APPENDIX A)

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Decision 83 06 014, Application 83-01-16.