

Decision **S3 06 022** June 1, 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Doug Isaacs, an individual
doing business as Industrial
Rigging & Erecting, for the
certificate of public convenience
and necessity to operate as a
highway common carrier for the
transportation of general
commodities, with certain
exceptions, in intrastate commerce
between points in Imperial, Kern,
Los Angeles, Orange, Riverside,
San Bernardino, San Diego and
Ventura Counties.

Application 82-12-63
(Filed December 29, 1982)

O P I N I O N

Applicant requests a certificate of public convenience and necessity authorizing him to operate as a highway common carrier as defined in Public Utilities (PU) Code § 213 for the transportation of general commodities, with the usual exceptions, between all points in the Counties of Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura. Applicant further requests that he be allowed to make use of any and all streets, roads, highways, and bridges necessary or convenient for the performance of this service.

Applicant presently conducts operations as a highway contract carrier under authority granted in File T-136,673. ✓

The application alleges that:

- "(a) Applicant performs the service of a rigger. This involves the disengagement of machinery and/or safes from their foundations in a building, moving the

disengaged item to a point where it can be placed on a vehicle for transportation. When the item arrives at the destination, it is removed from the vehicle, moved to its point of use, tied down and made ready for use. This may involve the lifting of the commodity through a window or an upper floor or the placement of the equipment in a basement. The transportation charges are included in a single price quoted to the debtor and represent less than fifteen to twenty percent of the total charges.

"(b) Applicant has been informed by members of the Commission staff located in San Bernardino that inasmuch as no continuing contracts are on file with the commission, applicant is operating as a highway common carrier for which no authority exists.

"(c) Applicant has operated as a Contract Permit Carrier of the commodities requested in this application between the points proposed to be serviced herein continuously since said Permit was granted. Applicant is familiar with the needs and requirements of the shippers, consignors, and consignees in the southern California area.

"(d) Applicant has received, and continues to receive, many and numerous requests from various shippers having movements of the commodities involved in this application to, from and between the points and places located in the area which applicant requests to service as a highway common carrier. Applicant feels that in order to satisfy these requests its operations would constitute that of a highway common carrier, and in order to continue to provide the service as requested by its customers, it seeks a certificate of public convenience and necessity to operate as a highway common carrier."

Applicant proposes to provide service Monday through Friday. Shipments will be delivered either the same day as picked up or the following morning. Service will be provided on Saturday and Sunday upon request.

Applicant proposes rates on an hourly basis computed on the total time his equipment is in service, subject to a minimum of three hours. The specific rates are set out in Exhibit 2, attached to the application.

Applicant's equipment consists of one truck, one tractor, one 18-foot low-bed trailer, one 20-foot regular trailer, two 6,000-pound forklifts, and one 10,000-pound forklift.

As of November 20, 1982, applicant's assets totaled \$177,295, offset by liabilities of \$64,000, for a resultant net worth of \$113,295. Applicant's profit and loss statement for the nine months ended September 30, 1982 shows a net profit before income tax of \$27,527.

Notice of the filing of the application appeared on the Commission's Daily Transportation Calendar of January 3, 1983. No protests have been received.

Findings of Fact

1. Applicant requests authority to operate as a highway common carrier for the transportation of general commodities between all points in the Counties of Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura.
2. Applicant currently operates as a highway contract carrier.
3. Applicant possesses the experience and equipment necessary to conduct the proposed service.
4. Applicant is financially able to conduct the proposed service.
5. Public convenience and necessity require that the requested authority be granted.

6. A public hearing is not necessary.
7. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.
8. 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 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 Doug Isaacs, dba Industrial Rigging & Erecting, 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 applicable 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, he shall file the tariff provisions required by that General Order.

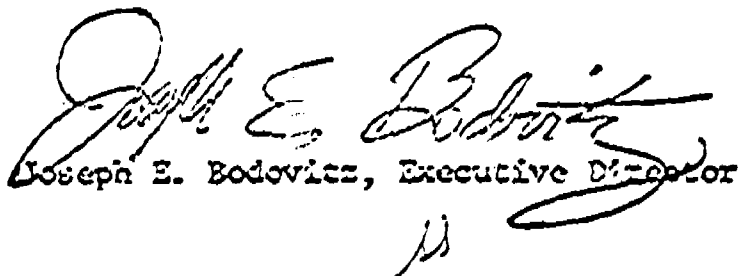
This order becomes effective 30 days from today.

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

Doug Isaacs
(an individual)
doing business as
INDUSTRIAL RIGGING & ERECTING

Doug Isaacs, 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 Counties of Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura.

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. 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. 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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