

Decision S3 06 049 JUN 15 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of Taloren, Ltd., a California corporation, doing business as Fleetline Express, for a certificate of public convenience and necessity pursuant to Section 1063, et. seq., of the Public Utilities Code, to operate as a highway common carrier for the transportation of property in intrastate commerce.

Application 83-02-12
(Filed February 4, 1983)

O P I N I O N

Taloren, Ltd., a California corporation (Taloren), doing business as Fleetline Express, operates in intrastate commerce under a highway contract carrier permit issued to it in File T-139,681. It also holds operating authority from the Interstate Commerce Commission.

By this application, Taloren seeks a certificate of public convenience and necessity to transport general commodities, with the usual exceptions, between all points and places in California. No additional interstate or foreign commerce authority is sought by Taloren in this application.

The application states as follows:

1. Taloren's principals have had many years of experience in the field of for-hire motor truck transportation in both intrastate and interstate commerce.
2. Taloren has received, and continues to receive, numerous requests from many shippers for transportation of the commodities requested between all areas of the State. Because of the frequency and regularity of the service that would be required to satisfy these requests, a highway common carrier certificate is required.
3. The proposed service would be daily, Monday through Friday. All shipments would be

handled expeditiously, and most deliveries would be overnight.

4. If the authority is granted, Taloren will issue its own tariff or become a party to tariffs covering the proposed service.
5. The following owned or leased equipment is operated by Taloren: 38 tractors, 158 van trailers, 60 connecting gears, and various service cars and equipment. All of this equipment would be available for use in the proposed service. Taloren is prepared to add any additional equipment that might be required.
6. Taloren has the financial ability to provide the proposed service. It also has the ability to provide any additional operating capital that might be needed.
7. The proposed service would not have an adverse effect upon the human environment or energy efficiency.
8. Public convenience and necessity require the dependable, price-competitive service proposed by applicant.

Twenty-three verified statements from representatives of various shippers supporting the proposed service are attached to the application. They ship a wide range of commodities in California, including chemicals and paints, foodstuffs and other grocery items, cosmetics and toiletries, paper items, rubber products, package petroleum products, cleaning products, telephone equipment, garden and nursery equipment and supplies, adhesives, chain products, and crane and rigging materials and supplies. All have truckload shipments, and some also have smaller shipments. The majority have interstate shipments between various western states and California, and of these, most have used Taloren for at least some of their interstate shipments and consider its service excellent. All would use Taloren's service for some of their intrastate transportation needs if the application is granted.

As of December 31, 1982, Taloren had assets of \$1,722,677, liabilities of \$1,234,120, and a stockholders' equity of \$488,557. For the year ended December 31, 1982, Taloren had a net income of \$165.72 after a \$56,218 gain on the disposition of certain assets. However, it did have a net income of \$21,579 for the month of December 1982.

On February 9, 1983, the application was listed on the Commission's Daily Calendar and on its Daily Transportation Calendar. A copy was served on the California Trucking Association. There are no protests to the sought certificate. We are of the opinion that the application should be granted.

Findings of Fact

1. Taloren has the experience and ability to provide the proposed certificated service.
2. Taloren does not seek any interstate and foreign commerce authority in connection with the proposed service.
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. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.
5. Public convenience and necessity require the proposed operation.
6. A public hearing is not necessary.

Conclusion of Law

The application should be granted as set forth in the following order.

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 Taloren, Ltd., a California corporation, authorizing it 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 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.

- g. Comply with General Order Series 102 and 130. If applicant elects to engage subhaulers, applicant shall have the required bond on file, and applicant shall engage only highway carriers who hold appropriate operating authority granted by this Commission.

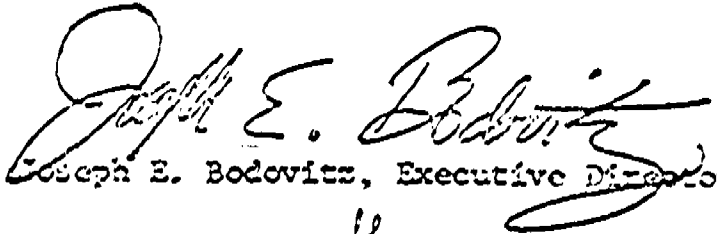

This order becomes effective 30 days from today.

Dated JUN 15 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director


TALOREN, LTD.
(a California corporation)
doing business as
FLEETLINE EXPRESS

Taloren, Ltd., 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.

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6. Portland or similar cements, either alone or in combination with lime or powdered limestone, in bulk or in packages, when loaded substantially to capacity.
7. Explosives subject to U.S. Department of Transportation regulations governing the transportation of hazardous materials.
8. Fresh fruits, nuts, vegetables, logs, and unprocessed agricultural commodities.
9. 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.
10. 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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