

Decision 83 06 050 JUN 15 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Yellow Bolt Express, 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, in intrastate commerce)
between points in California.)

Application 83-01-55
(Filed January 27, 1983;
amended April 5, 1983)

O P I N I O N

Yellow Bolt Express, Inc. (Express), a California corporation, has operated as an air carrier of cargo between points in the United States under Air Carrier Operating Certificate SWP-143 issued by the Federal Aviation Administration. The effective date of the certificate was June 15, 1982. It provides pickup service at businesses and at stands it has installed at many neighborhood convenience and drug stores. Express has applied to the Interstate Commerce Commission for authority to transport shipments weighing 100 pounds or less between points in the continental United States by motor vehicle. It holds no California intrastate operating authority.

By this application, as amended, Express seeks a highway common carrier certificate for the transportation of general commodities with a maximum weight of 100 pounds per shipment between all points and places in California. No similar interstate or foreign commerce authority is sought.

The application states as follows:

1. Express has received, and continues to receive, numerous requests from many shippers for transportation of the commodities requested between all areas of the State as evidenced by the eight shipper support

letters attached to the amendment. To satisfy these requests, a highway common carrier certificate is required.

2. The proposed service will be on a daily basis, Monday through Friday, with Saturday, Sunday, and holiday service upon request. Shipments picked up on one day would normally be delivered the morning of the following day.
3. The rates for the proposed service are attached to the application. They vary according to the weight of the shipment, origin and destination zones, and whether the transportation is for a business or for members of the general public.
4. Express' principal place of business is located at Ontario. It will lease-purchase equipment to perform the proposed service and will also engage other authorized carriers as subhaulers.
5. The proposed service would not adversely affect the quality of the human environment or energy efficiency.
6. Express has the financial ability to provide the proposed service.

As of December 24, 1982, Express had assets of \$147,100, liabilities of \$1,100, and a net worth of \$146,000. It estimates that its profits from the proposed common carrier service for the first year of operation would be \$36,000.

The application and amendment were listed on the Commission's Daily Calendars of January 31 and April 7, 1983, respectively, and on its Daily Transportation Calendars of February 1 and April 8, 1983, respectively, and a copy of each was served on the California Trucking Association. There has been no protest to the sought certificate. We believe that the application should be granted.

Findings of Fact

1. Express has the ability to provide the proposed service.
2. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

3. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

4. Public convenience and necessity require the proposed intrastate certificated operation.

5. 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 Yellow Bolt Express, Inc., 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.

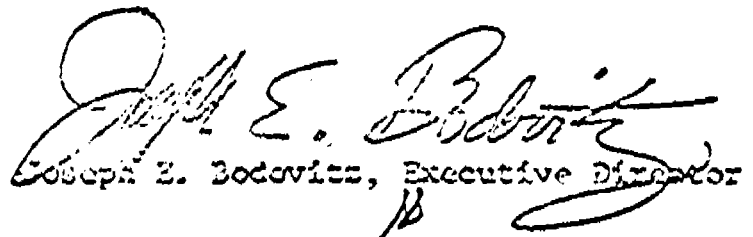
This order becomes effective 30 days from today.

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

Yellow Bolt Express, 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 in shipments not exceeding 100 lbs. in weight.

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. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
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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