

Decision 83 10 048 OCT 19 1983**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ASSEMBLY AND DISTRIBUTION)
 TERMINALS INC., a 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 83-04-45
 (Filed April 22, 1983)

O P I N I O N

Assembly and Distribution Terminals Inc. (applicant), a California corporation, has a principal place of business in Los Angeles. It holds a contract carrier permit (T-139,436). It seeks, under Public Utilities Code § 1063, a certificate of public convenience and necessity as a highway common carrier to transport general commodities between all points in the State of California.

Applicant proposes to provide this service Monday through Friday and Saturday on request. It anticipates that service will be same day or overnight in character. In addition to the normal list of general commodities with the usual exceptions, applicant proposes to provide transportation of commodities requiring the use of special refrigeration or temperature controlled equipment. It anticipates using either Transition Tariff or Tariff Bureau rates. Applicant owns five tractors and five bobtails. In addition, applicant intends to lease or utilize subhaulers to satisfy the requirements of its shippers.

Its total assets of over \$2 million include over \$1 million in accounts receivable. Of its \$1.4 million of total liabilities,

\$1.2 million is represented by current liabilities. In its capital accounts, capital stock and paid-in capital accounts for \$17,500. Retained earnings and current net profit total \$731,000. Gross revenue for the year 1982 was in excess of \$11 million.

In the original application, applicant demonstrated shipper support by supplying a list of the names of eight shippers who plan to use the proposed services. Service of the application was made on each of those shippers.

On August 8, 1983 applicant sent supplementary shipper support documentation. The first supporting shipper is a manufacturer and distributor of thermos bottles, kerosene heaters, and hospital food trays. It uses the storage and warehouse facilities of applicant as a distribution point for California customers. Its shipments will originate from the applicant's facilities in Los Angeles and be destined to customers throughout the State of California. Representative points include Los Angeles, Long Beach, Riverside, Anaheim, Santa Ana, San Diego, San Bernardino, San Jose, Oakland, Sacramento, San Francisco, and Redding. It expects to tender applicant approximately 400 truckloads each year, each truckload averaging 20,000 lbs. Another supporter is a nonprofit shippers' association which consolidates freight for its members located within the State of California. It has approximately 70 members who are wholesalers, manufacturers, and processors. Applicant provides storage facilities for this association. Its shipments will originate from applicant's facility in Los Angeles and be destined to all parts of the state. Representative destinations are Bakersfield, Fresno, San Jose, San Francisco, Sacramento, Oakland, San Diego, Redding, Eureka, Los Angeles, Santa Ana, and San Bernardino. The association expects to tender applicant approximately 200,000 to 400,000 lbs. per month. Some shipments will be less than truckload. On the average, shipments will be tendered

once or twice per week. Another supporter is a manufacturer and retailer of health foods, vitamins, cosmetics, and sundries. It also uses the warehouse facilities of applicant. Shipments will be destined to points such as San Diego, Anaheim, Santa Ana, Riverside, San Bernardino, Bakersfield, San Jose, Fresno, Oakland, Sacramento, Redding, Santa Barbara, and Ventura. It expects to tender applicant approximately 200,000 lbs. per week. Each shipment will average approximately 6,000 lbs. Another shipper is a manufacturer of towels. Its factory is located in Los Angeles, from which all shipments will originate. Destinations will include Los Angeles, Long Beach, San Diego, San Francisco, Sacramento, Oakland, Santa Ana, Bakersfield, San Bernardino, and Riverside. It will tender applicant approximately 10,000 lbs. per month, each shipment averaging approximately 50 lbs.

Notice of this application appeared in the Commission's Daily Transportation Calendar of April 26, 1983. No protests were received.

Findings of Fact

1. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed transportation services.
2. Public convenience and necessity require the service proposed by applicant.
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. 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 Assembly and Distribution Terminals 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.

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

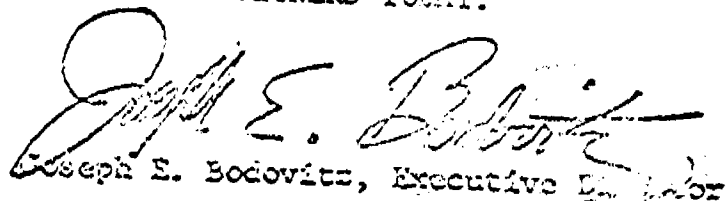
This order becomes effective 30 days from today.

Dated OCT 19 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

Appendix A ASSEMBLY AND DISTRIBUTION TERMINALS INC. Original Page 1
(a California corporation)

Assembly and Distribution Terminals 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.

Issued by California Public Utilities Commission.

Decision 83 10 048, Application 83-04-45.

Appendix A ASSEMBLY AND DISTRIBUTION TERMINALS INC. Original Page 2
(a California corporation)

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)

* Issued by California Public Utilities Commission.

Decision 83 10 04S, Application 83-04-45.