

Decision 83 11 071 NOV 22 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HAROLD RAYMOND TURRI, sole heir of)
VERONICA TURRI doing business as)
TIGHE DRAYAGE COMPANY, to transfer)
a certificate of public convenience)
and necessity to Harold Raymond)
Turri doing business as Tighe)
Drayage Company.)

Application 83-07-57
(Filed July 28, 1983)

O P I N I O N

By Decision 85303, dated January 6, 1976 in Application 55758, the Commission granted a certificate of public convenience and necessity to Veronica Turri, an individual doing business as Tighe Drayage Company, authorizing her to operate as a highway common carrier between all points and places within San Francisco Territory as therein described. In said decision the Commission found that public convenience and necessity also required the applicant to be authorized to engage in operations in interstate and foreign commerce between the same points, and a certificate of registration was duly issued by the Interstate Commerce Commission, served on May 27, 1976 in Docket No. MC-121784.

Veronica Turri also had a certificate of public convenience and necessity to operate as a highway common carrier under Public Utilities Code Section 1063.5, a highway contract carrier permit, a permit to operate as a heavy specialized carrier, and a permit to operate as an agricultural carrier (File T-110,698).

Veronica died on October 31, 1982 and the Section 1063.5 certificate and said permits were reissued to Harold Raymond Turri, sole heir to Veronica Turri, doing business as Tighe Drayage Company. These operating authorities have already been transferred from himself as a sole heir, to his name as an individual doing business as Tighe Drayage Company (File T-140,866).

A copy of the death certificate is attached to the application with the certification of an attorney that Harold is Veronica's sole surviving heir. The deceased and Harold held all property in joint tenancy and the tenancies have been terminated.

Harold has been in full control of the business since Veronica's death and there has been no cessation of service. Through routes or joint rates are not involved and no other carrier will be affected by the transfer.

Notice of the filing of the application appeared in the Commission's Daily Calendar of July 29, 1983. No protests have been received.

Finding of Fact

The transfer changes only the status of the holder of the certificate. He is transferred from a "sole heir" to an individual on the reissued certificate.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Harold Raymond Turri, authorizing him to operate as a highway common carrier, as defined in PU Code Section 213, between the points listed in Appendix A.
2. Applicant shall:
 - a. File with the Transportation Division written acceptance of the certificate within 30 days after transfer.
 - b. Amend or reissue transferor's tariffs. The tariffs shall not be effective before the date of transfer, nor before 5 days' notice is given to the Commission.

- c. Comply with General Orders Series 80, 100, 123, and 147, and the California Highway Patrol safety rules.
- d. Maintain accounting records in conformity with the Uniform System of Accounts.
- e. Comply with General Orders 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.

3. The certificate of public convenience and necessity granted by Decision 85303 is revoked on the effective date of the tariffs.

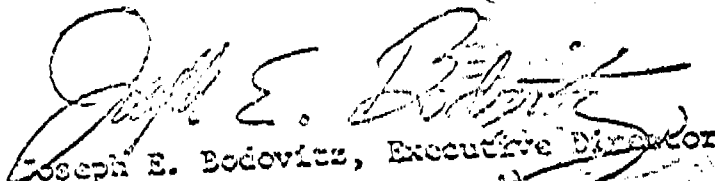
This order becomes effective 30 days from today.

Dated NOV 22 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
WILLIAM T. BAGLEY
Commissioners

Commissioner Donald Viel, being necessarily absent, did not participate.

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


Joseph E. Bodovitz, Executive Director

Harold Raymond Turri, 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 within San Francisco Territory as described in Note A.

Except that under the authority granted, carrier shall not transport any shipments of:

1. Used household goods, personal effects and office, store, and institution furniture, fixtures and equipment not packed in salesman's hand sample cases, suitcases, overnight or boston bags, briefcases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap, or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting).
2. Automobiles, trucks, and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis, freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses, and bus chassis.

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3. Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine, or wethers.
4. Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles.
5. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicle.
8. Logs.
9. Articles of extraordinary value.
10. Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper.
11. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.

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12. Explosives subject to U.S. Department of Transportation regulations governing the transportation of hazardous materials.

In performing the service authorized, carrier may make use of any and all streets, roads, highways, and bridges necessary or convenient for the performance of this service.

NOTE A

SAN FRANCISCO TERRITORY

San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County line meets the Pacific Ocean; easterly along that county line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific Company right-of-way to the Campbell-Los Gatos city limits; easterly along the city limits and their prolongation to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and its prolongation to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to

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State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along the boundary line to the campus boundary of the University of California; westerly, northerly, and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along the waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to the point of beginning.

(END OF APPENDIX A)

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