

Decision 84 01 010**ORIGINAL**

JAN 5 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 Karen Hearrell, dba K. C. Trucking,)
 (sic) by her consultant Roy Gray, for)
 a certificate of public convenience)
 and necessity to operate as a)
 highway common carrier for the)
 transportation of general commodi-)
 ties, with certain exceptions,)
 between points within California.)

Application 83-05-22
 (Filed May 10, 1983)

O P I N I O N

Karen Hearrell, (applicant), doing business as K. H. Trucking, originally sought a certificate of public convenience and necessity for statewide operations as a highway common carrier (Public Utilities (PU) Code § 1063). By letter of September 14, 1983 the request was modified; applicant now seeks authority only to transport trailers, campers, recreational vehicles, van conversions, motor homes, and related commodities.

Applicant is the wife of C. F. Hearrell, co-partner in K. C. Trucking (T-125,441) which holds highway contract, heavy-specialized, and agricultural authorities and a Section 1063.5 certificate.¹ The partnership is being dissolved. Applicant managed the partnership's affairs.

¹ These authorities were suspended for failure to pay fees due in the last quarter of 1982 and the first quarter of 1983. Applicant's husband has requested that they be reinstated, which has occurred. These authorities will be used until this certificate is granted when they will be abandoned.

Applicant's fleet consists entirely of pickup trucks equipped to tow travel trailers, van conversions, and recreational vehicles either on their own wheels or on specially designed low-bed trailers.

She has submitted a list of 25 shippers who would need such transportation. All of the supporting shippers, with one exception, are located in Southern California; the exception is in Stockton. Applicant contends, however, that she should be given statewide authority. She alleges that such vehicles were formerly manufactured at various locations in Northern California and predicts that these factories will be reopened when the economy improves. She also plans to move used units for dealers and individuals.

Applicants' community assets have a net worth of \$230,750 including \$7,300 cash. The only liabilities are \$2,500 of notes payable and approximately \$11,000 due on motor equipment.

By letter applicant has advised that her dba will be "K. E. Trucking." This is intended to avoid confusion with the partnership operation.

Notice of this application was published in the Commission's Daily Transportation Calendar on May 16, 1983. No protests have been 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 Karen Hearrell, doing business as K. H. Trucking, authorizing her 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 her 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, she 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.

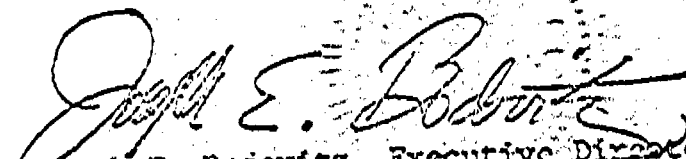
This order becomes effective 30 days from today.

Dated JAN 5 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

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

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


Joseph E. Bedovitz, Executive Director

KAREN HEARRELL
(an individual)
doing business as
K. H. TRUCKING

Karen Hearrell, 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 trailers, campers, recreational vehicles, van conversions, motor homes and related commodities between all points within the State of California.

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

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)