

Decision 84 01 C16

JAN 5 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
UNITED PARCEL SERVICE, INC. for
authority to amend its Certificate
of Public Convenience and Necessity
authorizing common carrier parcel
delivery service.

Application 83-09-65
(Filed September 26, 1983)

O P I N I O N

United Parcel Service, Inc. (applicant) holds a certificate of public convenience and necessity as an intrastate highway common carrier; its tariff and its certificate prohibit transportation of parcels weighing more than 50 pounds. By this application it seeks to raise this weight limit to 70 pounds. Applicant also provides a small package interstate service.

Applicant claims that its service competes with U. S. Mail's parcel post service which recently raised its limit to 70 pounds.

Applicant has in the past operated with limits up to 100 pounds. However, because the Interstate Commerce Commission (ICC) limited applicant's interstate operation to 50-pound packages, applicant decided that it would be inconvenient to enforce two different limitations. The local certificate was, therefore, amended to reduce the limit to 50 pounds. Now, however, the ICC approved a 70-pound restriction on May 4, 1983. Applicant contends that uniform limits should be applied to both intra- and interstate shipments.

The application is supported by 100 shippers. Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on September 28, 1983. No protests have been received and no hearing is necessary.

Findings of Fact

1. Applicant now transports packages weighing up to 70 pounds in interstate commerce.

2. It would be inconvenient and confusing to shippers to continue to apply a 50-pound limit on intrastate shipments.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity as a highway common carrier held by United Parcel Service, Inc. is amended by substituting First Revised Page 1 (Appendix A to this decision) for Original Page 1 of Appendix A to Decision 93615 in Application 60673.

2. United Parcel Service, Inc. shall amend its tariffs to conform to its amended certificate in conformity with General Order 80-A.

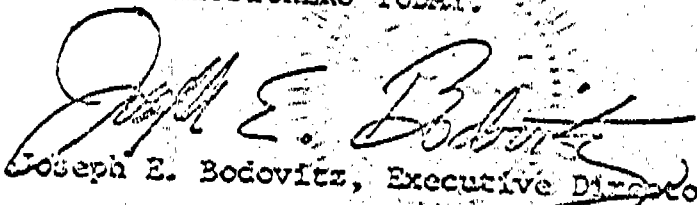
This order becomes effective 30 days from today.

Dated JAN 5 1984, 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

/ALJ/ec

Appendix A
(D. 60673)

UNITED PARCEL SERVICE, INC.
(an Ohio corporation)

First Revised Page 1
Cancels
Original Page 1

United Parcel Service, 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 Section 213 of the Public Utilities Code for the transportation of general commodities as follows:

Between all points in California, via any and all available routes, subject to the following restrictions:

- a. No service shall be rendered in the transportation of any package or article weighing more than 70 pounds or exceeding 108 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment.
- b. No service shall be rendered (1) in the delivery of furniture or other articles requiring the protection of quilts or pads or other special handling in order to be transported without danger of damage, or requiring unpacking or any other servicing by the carrier at point of delivery, between retail stores, their branches and warehouses, and the premises of the customers of such stores; (2) in the transfer of merchandise between retail stores and their branches and warehouses by vehicles and drivers assigned to the store on a time basis for its exclusive use.
- c. No service shall be rendered within the area comprising Los Angeles, Orange, San Bernardino, San Diego, and Ventura Counties in the transportation of packages or articles which are delivered or intended to be delivered on the same business day as tendered.

Issue by California Public Utilities Commission.

Decision 84 61 016, Application 83-09-65.