

ORIGINAL

Decision No. 87149

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of BOYD TRUCKING CO., a California)
corporation, for amendment of its)
certificate of public convenience)
and necessity as a highway common)
carrier so as to exclude lumber)
and forest products transported)
between points within 250 miles of)
Red Bluff, California except ship-)
ments thereof which have a prior)
or subsequent for-hire rail, water,)
or motor carrier movement; and for)
approval to continue, as a highway)
contract carrier upon the granting)
of this application, applicants)
present authority to deviate from)
minimum rates for the transporta-)
tion performed for Kimberly-Clark)
Corp. and for Hudson Lumber Com-)
pany.)

Application No. 56476
(Filed May 11, 1976)

O P I N I O N

By Decision 71455 dated October 25, 1966 in Application 48740 as amended by Decision 82603 dated March 19, 1974 in Application 54490, Boyd Trucking Co., a California corporation, was granted a certificate of public convenience and necessity to transport lumber and forest products between various points and places in the State of California as a highway common carrier. In addition, the carrier is engaged in the transportation of property between points in California pursuant to permits issued by the Commission.

By this application, Boyd Trucking Co. seeks to exclude from its certificate the following transportation:

Lumber and Forest Products moving between points within 250 statute miles of Red Bluff, California, except when there is a prior or subsequent movement by motor, rail, or water carrier.

Implicit in the carrier's application is the allegation that the public convenience and necessity no longer requires the operations referred to in the application and within the area described, as a highway common carrier. The applicant therefore proposes to serve the area as a highway contract carrier and to this end has filed application for and been issued authority to transport at less than minimum rates. No protests to the application have been received.

After consideration the Commission finds that the public convenience and necessity no longer requires the services of the applicant as a highway common carrier within the area in question and concludes that the application should be granted. The effective date of the order should be the date on which it is signed because there is no known reason to delay granting the relief requested. A public hearing is not necessary. The order which follows will provide for the revocation of the certificate presently held by Boyd Trucking Co. and the issuance of an in-lieu certificate. The territorial description or routes of the authority granted reflect the names of redesignated highways and roads and do not exceed in any way the geographical scope of operations presently held by this carrier.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Boyd Trucking Co., a California corporation, authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, between the points and over the routes set forth in Appendix A of this decision.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if it accepts the certificate it will be required, among other things, to comply with the safety rules administered by the California Highway Patrol and the insurance requirements of the Commission's General Order 100-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and amend or file tariffs, in triplicate, in the Commission's office.
- (c) The tariff filings shall be made effective not earlier than one day after the effective date of this order on not less than one day's notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the establishment of the authorized service.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order 80-Series.
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before April 30 of each year, an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

- (f) Applicant shall comply with the requirements of the Commission's General Order 84-Series for the transportation of collect on delivery shipments. If applicant elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

The certificate of public convenience and necessity granted paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision 71455 as amended, which certificate is revoked concurrently with the effective date of the tariff filings required by paragraph 2(b).

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 29th day of March, 1977.

Robert B. Berman
President
William J. Sproul, Jr.
James L. Striggen
Alan
Richard D. Gwalle
Commissioners

Boyd Trucking Co., a California corporation, 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 as follows:

- I. Lumber and Forest Products as described in Item 660 of Original Pages 52 and 53 of Minimum Rate Tariff No. 2, on the issue date thereof, between the points and over the routes specified as follows:
 1. Between the California-Oregon State Boundary and Modesto via Interstate Highway 5, State Highway 113, Interstate Highway 80 and State Highway 99.
 2. Between the California-Oregon State Boundary and Modesto via Interstate Highway 5, State Highway 99, State Highway 20, State Highway 70, State Highway 65, Interstate Highway 80 and State Highway 99.
 3. U.S. Highway 97 between the California-Oregon Boundary and its junction with Interstate Highway 5 at Weed.
 4. State Highway 96 between its junction with Interstate Highway 5 approximately 10 statute miles north of Yreka and its junction with State Highway 299 at Willow Creek.
 5. U.S. Highway 101 between the California-Oregon Boundary and its junction with State Highway 36 at Alton.
 6. U.S. Highway 199 between the California-Oregon Boundary and Crescent City.
 7. Unnumbered county road between its junction with State Highway 3 at Callahan and its junction with State Highway 299 at Tower House.

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8. State Highway 299 between its junction with U.S. Highway 101 approximately two statute miles north of Arcata, and Alturas.
9. State Highway 89 between its junction with State Highway 44 near Old Station and its junction with Interstate Highway 5 near Mt. Shasta.
10. State Highway 44 between Redding and its junction with State Highway 89 near Old Station.
11. State Highway 36 between its junction with U.S. Highway 101 near Alton and its junction with County Road A21 approximately one statute mile northeast of Westwood, thence via said County Road A21 to Westwood.
12. Interstate Highway 80 between Sacramento and San Francisco.
13. Between San Francisco and Stockton via Interstate Highway 80, Interstate Highway 580, Interstate Highway 205, and Interstate Highway 5.
14. State Highway 12 between its junction with Interstate Highway 80 near Cordelia, and Napa.
15. State Highway 37 between its junction with U.S. Highway 101 near Ignacio and its junction with Interstate Highway 80 near Vallejo.
16. Between Ukiah and San Jose via U.S. Highway 101 and State Highway 82.
17. State Highway 17 between Oakland and San Jose.
18. Interstate Highway 80 between San Francisco and its junction with State Highway 17 in Oakland.
19. With the right to serve all points embraced within the following laterals to the above described routes:
 - a. Thirty-Five statute miles of highways north of Corning and Vina
 - b. Ten statute miles of highways south of Corning and Vina.

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20. Service is authorized to intermediate points within the above described routes and laterals.
 21. All of the foregoing is subject to the following restrictions:
 - a. No local service between points south of Woodland on any highways
 - b. No service between Montague, Callahan and intermediate points.
 - c. No service between points on U.S. Highway 101 north of Alton, on the one hand, and San Francisco Bay Points on the other hand.
 - d. No service is authorized to, from, or between points in Butte County.
- II. Lumber and Forest Products between the following points and over the following routes.
1. Between Sacramento and Berkeley via State Highway 160, State Highway 4, State Highway 24, and State Highway 13.
 2. Between San Jose and the California-Mexican Border via U.S. Highway 101, State Highway 1 and Interstate Highway 5.
 3. Between Modesto and the California-Mexican Border via State Highway 99 to its junction with Interstate Highway 5 at Wheeler Ridge, thence via Interstate Highway 5 to its junction with Interstate Highway 10 in Los Angeles, thence via Interstate Highway 10 to its junction with Interstate Highway 15E near Colton; thence via Interstate Highway 15E to its junction with Interstate Highway 15 near Hurietta; thence via Interstate Highway 15 to its junction with Interstate Highway 8 in San Diego; thence via Interstate Highway 8 to its junction with State Highway 111, thence via State Highway 111 to the California-Mexican Border.
 4. Between Interstate Highway 205 (Business) at its junction with State Highway 33 three statute miles easterly of Tracy, and Ventura via State Highway 33.

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5. Between Bakersfield and the California-Mexican Border via State Highway 58 to its junction with U.S. Highway 395 at Four Corners; thence via U.S. Highway 395 to its junction with Interstate Highway 15E at Devore; thence via Interstate Highway 15E to its junction with Interstate Highway 10 near Colton, thence via Interstate Highway 10 to its junction with State Highway 86 near Indio; thence via State Highway 86 to its junction with State Highway 111 east of Herber; thence via State Highway 111 to the California-Mexican Border.
6. Between Chico and the junction of State Highway 32 and 36, via State Highway 32.
7. Between Sacramento and the California-Nevada Boundary via Interstate Highway 80.
8. Between Sacramento and the California-Nevada Boundry via U.S. Highway 50.
9. With the right to serve points adjacent to the above routes located within 35 statute miles laterally thereof; and
10. Between intermediate points.

RESTRICTIONS

1. Subject to the restrictions with respect to the above numbered routes 1, 2, 3, 4, 5, and 6 that shipments shall move between points and places north of and including Woodland, on the one hand and places on said routes numbered 1, 2, 3, 4, 5 and 6 on the other hand and further, that there shall be no service to, from or between points in Butte County.
2. Carrier shall not transport any shipments of sawdust, wood shavings, wood chips and wood pieces except when shipments thereof have a prior or subsequent movement by for hire rail motor, or water carrier.

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3. Carrier shall not transport any shipments between points within 250 statute miles of Red Bluff except when such shipments have a prior or subsequent movement by for hire rail, motor or water carrier.

(END OF APPENDIX A)

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