

ORIGINAL

Decision No. ~~89490~~ OCT 3 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of SMITH TRANSPORTATION COMPANY, )  
a corporation, for an order modi- )  
fying its certificate of public )  
convenience and necessity autho- )  
rizing highway common carrier )  
service, to exclude therefrom )  
certain transportation. )

Application No. 58297  
(Filed August 16, 1978)

O P I N I O N

By Decision 84212 dated March 18, 1975, in Application 54362, Smith Transportation Co., a California corporation, was granted a certificate of public convenience and necessity to transport general commodities over a number of routes located in an area bounded on the northeast by the City of Madera, on the northwest by the City of Paso Robles, on the south by the City of Los Angeles, on the east by the City of Fresno and on the west by the Pacific Ocean, as a highway common carrier. In addition this carrier is engaged in the transportation of property between points in California pursuant to permits issued by this Commission under File T-67,163.

By this application, Smith Transportation Co. seeks to exclude from its certificate transportation of the following commodity:

"Chicoite, see Note, in bags or boxes; truckload.

NOTE: Applies only on a natural earth product containing not less than 73 percent silica and not more than 10 percent alumina, having value for its absorptive properties." National Motor Freight Classification 100-E, Item 48115.

Applicant desires to transport this commodity under its highway permit carrier authority as a highway contract carrier, for Excel-Mineral Company of Santa Barbara, at rates which will deviate from the provisions of Minimum Rate Tariff No. 2.

After consideration the Commission finds that the public convenience and necessity no longer requires the services of the applicant for the transportation of the aforementioned commodity as a highway common carrier, and concludes that the application should be granted; however, such conclusion should not be construed as a policy determination with respect to future petitions to exempt certain commodities from the provisions of a certificated operating authority. The effective date of the order should be the date on which it is signed since there is no reason to delay granting the relief requested. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Appendix A of Decision 84212 dated March 18, 1975, in Application 54362, is hereby amended by substituting First Revised Page 3 attached hereto and by this reference made a part hereof, instead of Original Page 3.

2. Within sixty (60) days after the effective date hereof and on not less than five (5) days notice to the Commission and the public, applicant shall amend its tariff on file with the Commission to reflect the authority herein granted.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd day of OCTOBER, 1978.

Rolund Bateman  
President  
William J. Guevara, Jr.  
Vernon L. Steigman  
Robert D. Gaele  
Clair T. DeLoach  
Commissioners

11. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
12. Explosives subject to U.S. Department of Transportation Regulations governing the Transportation of Hazardous Materials.
- \*13. "Chicoite, see Note, in bags or boxes; truckload.  
NOTE: Applies only on a natural earth product containing not less than 73 percent silica and not more than 10 percent alumina, having value for its absorptive properties." National Motor Freight Classification 100-E, Item 48115.

NOTE A

LOS ANGELES REGION

Los Angeles Region includes that area embraced by the following boundary: Beginning at the intersection of Sunset Boulevard and U.S. Highway 101 Alternate; northeasterly on Sunset Boulevard to California Highway 7; northerly along California Highway 7 to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Angeles National Forest Boundary; southeasterly and easterly along the Angeles National Forest to the Los Angeles County Line; southerly along the Los Angeles County Lines to its intersection with California Highway 71; southerly along California Highway 71 to California Highway 91; westerly along California Highway 91 to California Highway 55; southerly on California Highway 55 to the Pacific Ocean; thence northwesterly along the shoreline of the Pacific Ocean to point of beginning.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

\*Amended by Decision 89490, Application 58297.