

ORIGINAL

Decision No. 92464 DEC 2 - 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
RAM TRUCKING, INC., for a certificate )  
of public convenience and necessity )  
authorizing operations as a highway )  
common carrier. )

Application No. 59379  
(Filed January 15, 1980;  
amended August 15, 1980)

O P I N I O N

This application, in its original form, requests that Ram Trucking, Inc. (Ram) be issued a certificate of public convenience and necessity as a highway common carrier between points in Northern California.

Three protests were filed by common carriers. Because of them, Ram filed an amendment to the application which includes the following proposed restriction to the operating authority:

"Service shall be limited to shipments having a minimum weight of 10,000 pounds or which shall be billed at charges no less than those applicable to shipments having a minimum weight of not less than 10,000 pounds.

"Service shall be restricted against the transportation of commodities moving in ocean or sea-van containers."

As a result of this amendment all three protestants withdrew their protests in writing. (The delay in processing the application was not caused by the protests but by the fact that, for interstate purposes, publication in the Federal Register is required, and the Federal Register did not publish the required notice promptly.)

The amendment to the application states that except for the above quoted restriction, the request for authority is unchanged. Ram proposes carriage of general commodities with certain exceptions as listed in the certificate attached to this decision. The area to be served is essentially from Redding to the Fresno vicinity, and westward to Monterey, Santa Cruz, San Francisco and Oakland, and intermediate points. The points and routes covered are described with greater particularity in the certificates attached to this decision.

Ram, a California corporation, presently carries general commodities under a highway contract carrier permit (File No. T-128122), primarily between those points it proposes to serve in this application. Proposed transportation will be daily, Monday to Friday, and will be furnished Saturdays on request. Ram proposes this service for interstate as well as intrastate shipments and requests the Commission to find that public convenience and necessity require the services in interstate commerce.

Rates will be on the same level as those contained in Transition Tariff No. 2 and other applicable minimum rates. The tariffs containing such rates will be filed upon receipt of the authority requested.

In justification of its request for authority, Ram's application points out that it has essentially been performing the service under its permit and that the requirements and demands of the shippers have increased, "which has raised the issue of whether the contract authority it possesses is proper or adequate for the character of service it is affording the public". In this regard, Ram states that since the service to be certificated is essentially being performed, there is no adverse impact to the environment from granting the certificate.

Ram's principal place of business is near Davis. Attached to the application is an equipment list which shows that it possesses a substantial fleet of semi-trailers, pull trailers, and other vehicles which are adequate for the service. Also attached to the application are a cumulative balance sheet and an income statement which demonstrate that Ram possesses adequate capitalization and financial reserves to perform the proposed service.

In our opinion the application and its attachments establish the need for the proposed operation and the fitness of the applicant to perform it. All protests have been withdrawn.

Findings of Fact

1. The contents of the application and its attachments demonstrate the need for the service as proposed in the application as amended.

2. Ram possesses the necessary fitness, finances, equipment, and personnel to operate the proposed service.

3. All protests have been withdrawn. A public hearing is not necessary.

4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

5. Public convenience and necessity require that Ram Trucking, Inc. be authorized to engage in operations in intrastate commerce as proposed in the application and also require that Ram Trucking, Inc. be authorized to engage in operations in interstate and foreign commerce within limits which do not exceed the scope of the intrastate operations authorized by this decision. ✓

Conclusions of Law

1. The application, as amended, should be granted as set forth in the ensuing order.

2. Because of the delay in publishing the required notice in the Federal Register, it is reasonable to make the order in this decision effective the date it is signed.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Ram Trucking, Inc., a 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.

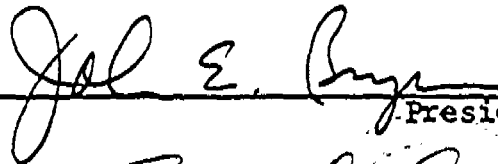
2. In providing service pursuant to the authority granted by this order, Ram Trucking, Inc. shall comply with the following service regulations. Failure to do so may result in cancellation of the authority.

- (a) Within thirty days after the effective date of this order, Ram Trucking, Inc. shall file a written acceptance of the certificate granted. Ram Trucking, Inc. 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 No. 100-Series.
- (b) Within one hundred twenty days after the effective date of this order, Ram Trucking, Inc. 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 thirty days after the effective date of this order on not less than thirty days' 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.

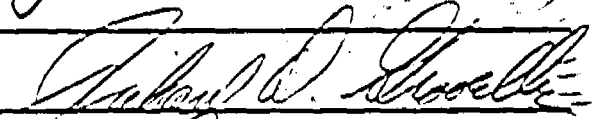
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-Series.
- (e) Ram Trucking, Inc. shall maintain its accounting records on a calendar year basis in conformance with 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) Ram Trucking, Inc. shall comply with the requirements of the Commission's General Order No. 84-Series for the transportation of collect on delivery shipments. If Ram Trucking, Inc. elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

The effective date of this order is the date hereof.

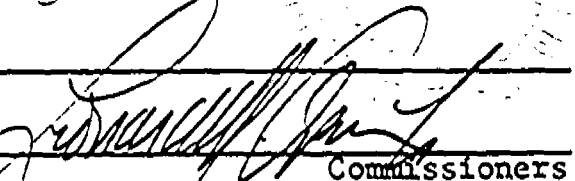
Dated DEC 2-1980, at San Francisco, California.

  
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President

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

  
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Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

  
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Commissioners

Ram Trucking, Inc., by the certificate of public convenience 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 and places on and within twenty (20) statute miles of the following routes:

1. U.S. Highway 101 between San Francisco and Salinas, inclusive.
2. State Highway 17 between San Jose and Santa Cruz, inclusive.
3. State Highway 68 between Salinas and Monterey, inclusive.
4. State Highway 1 between Santa Cruz and Monterey, inclusive.
5. Interstate Highway 5 between Redding and its junction with State Highway 198 near Coalinga, inclusive.
6. Interstate Highway 505 between its junction with Interstate Highway 5 and its junction within Interstate Highway 80.
7. State Highway 99 between Red Bluff and Kingsburg, inclusive.
8. State Highway 20 between Williams and Marysville, inclusive.
9. Interstate Highway 80 between San Francisco and Sacramento, inclusive.
10. Interstate Highway 580 between Oakland and its junction with Interstate Highway 5 near Vernalis, inclusive.

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11. Interstate Highway 205 between its junction with Interstate Highway 580 and its junction with interstate Highway 5 near Banta; thence via Interstate Highway 5 to Stockton, inclusive.
12. State Highway 12 between its junction with Interstate Highway 80 near Fairfield and its junction with State Highway 99 near Lodi, inclusive.
13. State Highway 160 between its junction with State Highway 4 near Oakley and Sacramento, inclusive.
14. State Highway 4 between its junction with Interstate Highway 80 near Pinole and Stockton, inclusive.
15. State Highway 152 between Gilroy and Califa, inclusive.
16. State Highway 132 between its junction within Interstate Highway 5 near Vernalis, and Modesto, inclusive.

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

Except that pursuant to the authority herein 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 salesmen's hand sample cases, suitcases, overnight or boston bags, briefcases, hat, boxes, valises, traveling bags, trunks, lift vans, barrelboxes, 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 truck 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 semi-plastic 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. Logs.
8. Articles of extraordinary value.
9. Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper.
10. fresh fruits and vegetables.

Service shall be limited to shipments having a minimum weight of 10,000 pounds or which shall be billed at charges no less than those applicable to shipments having a minimum weight of not less than 10,000 pounds.

Service shall be restricted against the transportation of commodities moving in ocean or sea-van containers.

(END OF APPENDIX A)

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