

ORIGINAL

Decision 93279 JUL 7 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of DELTRAN, INC.,)
a California corporation, for)
a certificate of public con-)
venience and necessity to operate)
as a highway common carrier in the)
transportation of specific com-)
modities in intrastate and)
interstate and foreign commerce.)

Application 60272
(Filed February 19, 1981)

O P I N I O N

Deltran, Inc. (applicant) requests authority herein to operate as a highway common carrier in intrastate commerce in the transportation of displays, padded and crated, and electronics between all points and places in California. It also seeks a finding of public convenience and necessity for coextensive authority to transport the same commodities between the same points in interstate and foreign commerce. At the present time, applicant holds no rights to transport any commodities anywhere, so it is not engaged in any intrastate, interstate, or foreign commerce.

Copies of the application were served upon the California Trucking Association, the Interstate Commerce Commission, and 14 large highway carriers of general commodities doing business in California with which the proposed service is likely to compete. The filing of the application was noticed on the Commission's Daily Calendar of February 24, 1981. There was one protest.

Peters Truck Lines protested the application insofar as it included the Counties of Shasta, Tehama, Glenn, Butte, and Siskiyou. By letter dated May 1, 1981, protestant stated that it would withdraw its protest if these counties are excluded. By letter dated May 4, 1981, applicant consented to the exclusion of these counties.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Applicant's articles of incorporation are attached to the application.
3. Applicant's balance sheet as of February 1, 1981 shows assets (cash) of \$91,000, liabilities (none), and capital stock subscribed of \$91,000.
4. Applicant's projected statement of income for 11 months ended December 31, 1981 shows income of \$553,200, expenses of \$525,000, and net income before taxes of \$28,200.
5. Applicant has the ability, financial capability, and truck equipment available to conduct the proposed operations.
6. Applicant has received requests from numerous shippers indicating they need special equipment such as crawlers, roller lifters, air rides, and 4,000-pound lift gates which applicant would provide in connection with the transportation involved.
7. Applicant would be a party to tariff publications of Western Motor Tariff Bureau and Rocky Mountain Motor Tariff Bureau, as well as other tariffs necessary to cover its operations in intrastate, interstate, and foreign commerce.
8. Public convenience and necessity require that applicant be granted authority to operate as a highway common carrier, as defined in Public Utilities (PU) Code Section 213, for transportation of displays, padded and crated, and electronics, between all points and places in California, except between points in the Counties of Shasta, Tehama, Glenn, Butte, and Siskiyou.

9. Public convenience and necessity also require that applicant be authorized to engage in interstate and foreign commerce within the scope of intrastate operations authorized by this decision.

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

11. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

Conclusions of Law

1. Applicant has demonstrated public convenience and necessity, and the application should be granted to the extent set forth in Findings of Fact 8 and 9.

2. The effective date of this order should be the date of signature in order that applicant may provide needed services as a highway common carrier as soon as possible.

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:

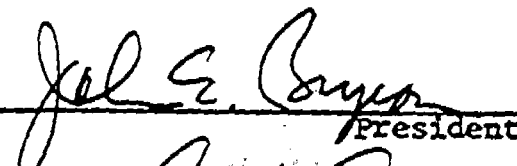
1. A certificate of public convenience and necessity is granted to applicant, Deltran, Inc., a corporation, authorizing it to operate as a highway common carrier, as defined in PU Code Section 213, in intrastate and in interstate and foreign commerce to the extent specified in Appendix A of this decision.

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 its 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, and 104, 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, it shall file the tariffs required by that General Order.

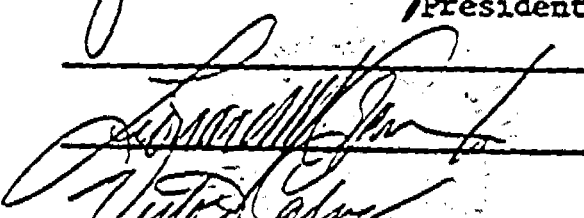
This order is effective today.

Dated JUL 7 1981, at San Francisco, California.


Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.



President



Commissioner



Commissioners

Deltran, Inc., by the certificate of public convenience and necessity granted by 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 the following commodities within and between all points in all counties in the State of California except Butte, Glenn, Shasta, Siskiyou, and Tehama:

Displays, padded and crated, and electronics.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

Decision 93279, Application 60272.