

ORIGINAL

Decision 93331 JUL 22 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of HEAVY TRANSPORT, INC., a)
Corporation for permission to)
restrict its Section 1063)
authority against the transporta-)
tion of commodities requiring)
certain specialized equipment.)

Application 60324
(Filed March 5, 1981)

ORDER GRANTING PETITION
FOR MODIFICATION

By its Application filed March 5, 1981, Heavy Transport, Inc. (Heavy), a California corporation, seeks modification of its highway common carrier certificate which was granted under Decision 79653 dated February 1, 1972 in Application 52975, under 1063 of the Public Utilities (PU) Code.

Heavy is engaged, under this certificate, in the transportation of property between specified points and geographical areas in California as a highway common carrier. The transportation is fully described in Appendix A of Decision 79653. The property transported is of the heavy specialized type and consists mostly of over-dimension loads or loads of unusual weight.

Heavy also holds a highway common carrier certificate granted under Section 1063.5 of the PU Code, in Application GC-2754, for statewide transportation of general commodities. This

certificate excludes the standard five commodities that require other types of operating authority. In addition, Heavy holds highway contract carrier and heavy specialized carrier permitted authorities under File No. T-55338. A substantial amount of the transportation service performed by the applicant is of the heavy specialized type of operation. This service is utilized by the construction and building trades, petroleum exploration and refining industries, and the manufacturers and suppliers of heavy machinery, equipment, and supplies. Many loads of unusual weight and size are handled in the normal course of operation.

Heavy seeks to modify its highway common carrier certificate granted under Decision 79653 by excluding transportation of any commodity, which, because of its width, length, height, weight, shape, or size requires special authority from a governmental agency regulating the use of highways, roads or streets, and when incidental, any other commodity moving in a single shipment with such commodity, and which moves under its Heavy Specialized Carrier Permit. Heavy also seeks to exclude from the certificate the authority to transport any commodity which because of width, length, height, weight, shape or size requires the use of and is transported on low-bed equipment.

Heavy believes that the granting of this application will give it greater flexibility in service and rates to its shippers for this type of transportation when it is covered by either its heavy specialized carrier permit or its highway contract carrier permit rather than its highway common carrier certificate.

Heavy proposes to accomplish the necessary amendment of its highway common carrier certificate, which was granted under Section 1063.5 of the P.U. Code, by a tariff publication in accordance with the procedure established by the Commission in Decision 89575 issued October 31, 1978.

Findings of Fact

1. Public convenience and necessity no longer requires service by the carrier in the transportation of any commodity, which, because of its width, length, height, weight, shape, or size requires special authority from a governmental agency regulating the use of highways, roads or streets; and when incidental, any other commodity moving in a single shipment with such commodity, and which moves under the carrier's Heavy Specialized Carrier Permit; nor the transportation of any commodity which because of width, length, height, weight, shape, or size requires the use of and is transported on low bed equipment.

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

3. The following order complies with the guidelines in the Commission's Energy Efficiency Plan.

Conclusion of Law

The proposed amendment is in the public interest and should be authorized. A public hearing is not necessary.

SS ✓
Our
Over conclusion however should not be construed as a policy determination with respect to future application to remove certain transportation from a certificated authority.

Because of major changes in highway number designations as a result of the numerous highway construction programs in California, accomplished over the last twenty years, it has been Commission policy to restate operating authorities when a large number of the highway designations contained in a given certificate are obsolete. This is the case with this certificate, and it will be restated to reflect the new highway designations currently in use. The restatement will not result in any geographical change in the scope of the rights. The order which follows will provide for the revocation of the highway common carrier certificate granted under Decision 79653 and the issuance of an in lieu certificate in appendix form to the applicant.

O R D E R

✓ IT IS ORDERED that:

S7 1. A certificate of public convenience² and necessity is granted to Heavy Transport, Inc., authorizing it to operate as a highway common carrier, as defined in PU Code Section 213, between the points, over the routes, and subject to the exclusions listed in Appendix A.

2. The certificate of public convenience and necessity granted in paragraph 1 shall supersede that granted by Decision 79653 dated February 1, 1972 in Application 52975. That certificate is revoked on the effective date of the tariff filings required by paragraph 3.

3. Within sixty days after the effective date of this order and on not less than ten days notice to the Commission and the public,

A.60324 T/SEG/BW/WPSC

Heavy Transport Inc., shall amend its tariff presently on file with the Commission to reflect the authority granted.

This order becomes effective 30 days from today.

Dated JUL 22 1981, at San Francisco, California.

Jul E. Byrne
President
Robert D. Kelly
Samuel M. Jones
Victor C. ...
Priscilla C. ...
Commissioners

Heavy Transport, 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 PU Code Section 213, for the transportation of:

- A. Construction mining, and logging machinery, equipment, materials, and supplies restricted to shipments weighing 5000 pounds or more.
- B. Commodities which by reason of size, bulk, or weight require special equipment or handling, and materials, parts and supplies that are accessorial to or are a necessary part of such commodities.

between the following points, subject to the restrictions indicated.

- 1. All points and places in or within 25 statute miles of the boundary of the San Francisco Territory as described in Note A.
- 2. All points and places on and within 25 statute miles of the following highways:
 - a. Interstate Highway 80 between Richmond and the California-Nevada State Line, inclusive.
 - b. Interstate Highway 580 between Hayward and its junction with Interstate Highway 205 near Mountain House; thence via Interstate Highway 205 to its junction with Interstate 5 near Banta; thence via Interstate Highway 5 to its junction with State Highway 4 in Stockton; thence via State Highway 4 to its junction with State Highway 99; thence via State Highway 99 to its junction with U.S. Highway 50 in Sacramento; thence via U.S. Highway 50 to the California-Nevada State Line, inclusive.
 - c. State Highway 99 between Sacramento and Merced, inclusive.

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.

Appendix A

HEAVY TRANSPORT, INC.
(a California corporation)

Original Page 2

- d. State Highway 99 between Red Bluff and its junction with State Highway 20 at Yuba City; thence via State Highway 20 to its junction with State Highway 70 at Marysville; thence via State Highway 70 to its junction with State Highway 65 near Olivehurst; thence via State Highway 65 to its junction with Interstate Highway 80 near Roseville; thence via Interstate Highway 80 to its junction with State Highway 99 in Sacramento, inclusive.
- e. Interstate Highway 5 between Red Bluff and its junction with State Highway 113 near Woodland; thence via State Highway 113 to its junction with Interstate Highway 80 at Davis; thence via Interstate Highway 80 to its junction with State Highway 99 in Sacramento, inclusive.
- f. State Highway 113 between its junction with Interstate Highway 80 at Davis and its junction with State Highway 99 near Tudor; thence via State Highway 99 to its junction with State Highway 20 at Yuba City; thence via State Highway 20 to its junction with State Highway 70 at Marysville; thence via State Highway 70 to its junction with U.S. Highway 395 at Hallelujah Junction; thence via U.S. Highway 395 to its junction with the California-Nevada State Line near Peavine, inclusive.
- g. State Highway 36 between Red Bluff and its junction with U.S. Highway 395 at Johnstonville, inclusive.
- h. U.S. Highway 395 between Johnstonville and the California-Nevada State Line near Peavine, inclusive.
- i. U.S. Highway 395 between the California-Nevada State Line near Topaz Lake, and Lee Vining, inclusive.
- j. State Highway 32 between Chico and State Highway 89, inclusive.
- k. State Highway 89 between its junction with State Highway 36 near Chester and its junction with U.S. Highway 395 near Topaz Lake, inclusive.

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.

- l. Honcut-La Porte-Quincy Road between its junction with State Highway 70 near Honcut and its junction with State Highway 89 near Quincy, inclusive, via La Porte and Nelson Point.
- m. State Highway 49 between Sattley and its junction with State Highway 120 near Chinese Camp, inclusive.
- n. State Highway 20 between Williams and its junction with Interstate Highway 80 near Yuba Gap, inclusive.
- o. State Highway 24 between Oakland and its junction with State Highway 4 near Concord; thence via State Highway 4 to its junction with State Highway 160 near Oakley; thence via State Highway 160 to Sacramento, inclusive.
- p. State Highway 4 between its junction with Interstate Highway 80 near Pinole and its junction with State Highway 89 near Markleeville, inclusive.
- q. State Highway 120 between its junction with Interstate Highway 5 near Lathrop and its junction with U.S. Highway 395 near Lee Vining, inclusive.
- r. State Highway 108 between Sonora and its junction with U.S. Highway 395 near Fales Hot Springs, inclusive.

Through routes and rates may be established between any and all points and places specified in sub paragraphs 1 through 2r above. Carrier may use any and all available alternate routes for operating convenience only.

- C. Machinery equipment, materials, and supplies incidental to or used in the construction, exploration, development, operation, refining, production and maintenance of facilities for the discovery, development, production, or refining of natural gas, petroleum and petroleum products.

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.

- D. Machinery and equipment of unusual size or weight.
- E. Property or commodities of unusual size and weight requiring the use of special equipment.
- F. Building contractors equipment.
- G. Grading and paving equipment.
- H. Electrical transmission equipment.
- I. Water well drilling equipment.
- J. Mining machinery and equipment.
- K. Fabricated structures, tanks and hangers.
- L. Such materials and supplies as are accessorial to or a necessary part of the machinery, equipment and property herein authorized to be transported in Paragraphs D to K, inclusive, but not building or construction materials and supplies generally used in the various building and construction businesses.

from, to and between all points on or within fifty (50) statute miles laterally of the following routes.

1. U.S. Highway 101 between King City and its junction with Interstate Highway 5 in Los Angeles; thence via Interstate Highway 5 to the California-Mexican Border.
2. State Highway 1 between its junction with U.S. Highway 101 near El Rio and its junction with Interstate Highway 5 at Capistrano Beach, inclusive.
3. State Highway 99 between Madera and its junction with Interstate Highway 5 at Wheeler Ridge; thence via Interstate Highway 5 to its junction with Interstate Highway 10 in Los

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.

- Angeles; 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 near Heber; thence via State Highway 111 to the California-Mexican Border.
4. Interstate Highway 5 between Los Angeles and its junction with State Highway 14 near Sylmar; thence via State Highway 14 to its junction with U.S. Highway 395 near Inyokern; thence via U.S. Highway 395 to its junction with U.S. Highway 6 at Bishop; thence via U.S. Highway 6 to Benton.
 5. Interstate Highway 15E between San Bernardino and its junction with Interstate Highway 15 at Devore; thence via Interstate Highway 15 to its junction with U.S. Highway 395 near Hesperia; thence via U.S. Highway 395 to Inyokern.
 6. State Highway 127 between Baker and the California-Nevada State Line.
 7. Interstate Highway 15 between Barstow and the California-Nevada State Line.
 8. State Highway 11 between Los Angeles and its junction with Colorado Boulevard in Pasadena thence via Colorado Boulevard to its junction with Huntington Drive in Arcadia; thence via Huntington Drive to its junction with Foothill Boulevard near Azusa; thence via Foothill Boulevard to its junction with Alost Avenue in Azusa; thence via Alost Ave to its junction with Foothill Boulevard in Glendora; thence via Foothill Boulevard to its junction with State Highway 66 near Claremont; thence via State Highway 66 to its junction with Mount Vernon Avenue in San Bernardino; thence via Mount Vernon Avenue to its junction with Interstate Highway 15E in San Bernardino; thence via Interstate 15E to its junction with Interstate Highway 15 at Devore; thence via Interstate 15 to its junction with Interstate Highway 40 at Barstow; thence via Interstate Highway 40 to its junction with National Trails Highway at Ludlow; thence via National

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.

Trails Highway to its junction with Interstate Highway 40 at Fenner; thence via Interstate Highway 40 to Needles.

9. Interstate Highway 10 between Los Angeles and Blythe.
10. Interstate Highway 8 between San Diego and Winterhaven.

Applicant may traverse those portions of U.S. Highway 101 and State Highway 99 for operating convenience only, and without service to any point thereon along said highways, between San Martin and King City on U.S. Highway 101 and between Merced and Madera on State Highway 99.

The authority set forth in paragraphs A and B is subject to the following restrictions.

1. Carrier shall not transport shipments to, from or between any point in Sonoma County.
2. Carrier shall not transport shipments of less than 10,000 pounds from to or between points on the following highways:
 - a. U.S. Highway 50 between Tahoe Valley and the California-Nevada State line.
 - b. State Highway 89 between Truckee and Tahoe Valley.

The authority set forth in paragraphs A through K is subject to the following restrictions.

1. Carrier shall not transport any commodity which because of width, length, height, weight, shape or size requires special authority from a governmental agency regulating the use of highways, roads or streets and any other commodity moving in a single shipment with such commodity when incidental thereto and which moves under the carriers Heavy Specialized Carrier permit.

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.

Appendix A

HEAVY TRANSPORT, INC.
(a California corporation)

Original Page 7

2. Carrier shall not transport any commodity which because of width, length, height, shape, or size requires the use of and is transported on low-bed equipment.

NOTE A

SAN FRANCISCO TERRITORY

San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Line meets the Pacific Ocean; thence easterly along said County Line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific Company right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road; northwesterly along White Road to McKee Road; southwestly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.

Boundary Line; northerly along said boundary line to the campus boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to the point of beginning.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

Decision 93331 Application 60324.