

Decision 93560 SEP 15 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ASSOCIATED COURIERS, INC., a)
Washington corporation, for a)
Certificate of Public Convenience)
and Necessity Authorizing Highway)
Common Carrier Service.)

Application 60626
(Filed June 4, 1981)

O P I N I O N

Associated Couriers, Incorporated (Associated) seeks a certificate of public convenience and necessity from the Commission under Public Utilities (PU) Code Sections 1063 and 1064 to operate as a highway common carrier transporting general commodities between points throughout California as set forth in Appendix E and Appendix F attached to the application. Associated holds no highway carrier operating authority from this Commission.

Associated is a Washington corporation and has obtained a Certificate of Qualification to transact business in the State of California. The certificate is attached to the application as Appendix B.

Associated states that it operates as an air courier and as a motor carrier between points throughout the United States. Its motor carrier operations are conducted under a certificate issued by the Interstate Commerce Commission (ICC) and its air operations are conducted under registration filed with the Civil Aeronautics Board (CAB). Under the CAB registration Associated states it is authorized to operate as an indirect air carrier. The ICC operative authority is limited to transportation of shipments of 100 pounds or less. Associated operates a courier-type service under its ICC and CAB authorities. Associated's CAB certificate of registration permits it to perform interstate indirect air carrier operations within California as well as intrastate operations.

Associated's ICC authority limits it to shipments weighing 100 pounds or less. Associated operates only small pickup truck and passenger vehicles in California. Associated's counsel, by letter dated July 13, 1981, states Associated occasionally has need to ship packages weighing up to 150 pounds. We will limit Associated to shipment of packages weighing no more than 150 pounds. Associated's counsel has no objection to this limitation.

Financial statements attached to the application show Associated's total assets, as of September 30, 1980, of \$169,142. Total net worth of the owners amounts to \$44,230. For the year ended September 30, 1980, Associated had total sales of \$1,023,000, with net income of \$2,048.

Associated has a fleet of small vehicles which it presently operates within California. It proposes to use this fleet for operations under the authority it seeks and states that it will acquire more vehicles if required. At present Associated operates two terminal facilities in California at which it conducts interstate operations. One is located in Burlingame near the San Francisco International Airport and the other is located in Los Angeles near the Los Angeles International Airport. Associated states that if its application is granted it contemplates opening additional terminal facilities at Fresno, Sacramento, and San Diego, as well as at other locations should the need arise. Associated states that its business has grown manyfold since it started operations in the beginning of 1979 and that it has received requests from many of its customers in California to transport intrastate shipments. ✓

Associated alleges that in order to provide quality courier service to its California intrastate shippers it needs to provide an expeditious ground transportation service to supplement its air services within this State.

Notice of Associated's application appeared in the Commission's Daily Calendar and in the Federal Register. In addition, Associated served a copy of its application on the California Trucking Association and the California State Department of Transportation. No protests to the application have been received. This order should be effective on the date signed because Associated states that a number of shippers are anxious to avail themselves of the proposed service.

Findings of Fact

1. A public hearing in this matter is not necessary.
2. Associated has the ability, experience, equipment, and financial resources to perform the service it proposes.
3. Public convenience and necessity require the service proposed by Associated.
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. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

Conclusion of Law

A certificate of public convenience and necessity, as sought by Associated, should be granted.

Only the amount paid to the State for operative rights may be used in ratefixing. 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 Associated Couriers, Incorporated, a corporation, authorizing it to operate as a highway common carrier, as defined in PU Code Section 213, between the points listed in Appendix A.

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 SEP 15 1981, at San Francisco, California.

John E. Coyne
President
Richard D. ...
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Commissioners

Associated Couriers, 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 Section 213 of the Public Utilities Code for the transportation of general commodities in shipments not exceeding 150 lbs. in weight as follows:

With and between all points and places in the Counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo and Yuba.

Except that under the authority granted, carrier shall not transport any shipments of:

1. Used household goods and personal effects, office, store, and institution furniture and fixtures.
2. Automobiles, trucks and buses, new and used.
3. Ordinary livestock.
4. Liquids, compressed gases, commodities in semi-plastic form, and commodities in suspension in liquids in bulk in any tank truck or tank trailer.

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Decision 93560, Application 60626.

5. Mining, building, paving, and construction materials, except cement or liquids, in bulk in dump truck equipment.
6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
7. Portland or similar cements, either alone or in combination with lime or powdered limestone, in bulk or in packages, when loaded substantially to capacity.
8. Trailer coaches and campers, including integral parts and contents when contents are within the trailer coach or camper.
9. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
10. Explosives subject to U.S. Department of Transportation Regulations governing the transportation of hazardous materials.
11. Fresh fruits, nuts, vegetables, logs, and unprocessed agricultural commodities.
12. Any commodity, the transportation or handling of which, because of width, length, height, weight, shape, or size, requires special authority from a governmental agency regulating the use of highways, road, or streets.
13. Transportation of liquid or semi-solid waste, or any other bulk liquid commodity in any vacuum type tank truck or trailer.

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

(END OF APPENDIX A)

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Decision 93569, Application 60626.