

ORIGINAL

Decision 93707 NOV 3 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of Les Calkins Trucking, Inc. a)
California corporation, for a)
Cement Carrier Certificate)
authorizing service to and within)
the Counties of Imperial,)
Mariposa, San Luis Obispo, Santa)
Barbara, Santa Cruz, Alpine and)
San Benito.)

Application 60721
(Filed July 8, 1981;
amended July 30, 1981)

O P I N I O N

Les Calkins Trucking, Inc., (Calkins), a California corporation, holds a certificate authorizing operation as a cement carrier in a number of counties in California. This application requests expansion of the territory in which operations are authorized to include the counties of Alpine, Imperial, Mariposa, San Benito, San Luis Obispo, Santa Barbara, and Santa Cruz. Calkins proposes daily on-call service to and within the expanded area.

Calkins states that:

1. It has had approximately 30 years experience in for-hire truck transportation of property;
2. Approval of its request will substantially increase its revenues, and improve equipment utilization;
3. Approval of the application will not have an adverse effect on other carriers or the public;
4. As of December 31, 1980 it has total assets of \$1,466,478 and stockholder's equity of \$146,764;
5. It has a large fleet of tractors (16) and trailers (31).

Notice of the filing of this application appeared in the Commission's Daily Calendar of July 13, 1981. Calkins served the California Trucking Association with a copy of its application. Calkins alleges there are over 80 current carriers and cement contract carriers authorized to operate in the expanded operating area proposed. Calkins requests waiver of the requirements of Rule 37(a) of the Rules of Practice and Procedure, in view of service on the California Trucking Association and the savings resulting from not serving over 80 carriers. The request is reasonable and is granted. No protests to the application have been received.

Findings of Fact

1. A public hearing in this matter is not necessary.
2. Calkins has the ability, experience, equipment, and financial resources to perform the proposed service.
3. Public convenience and necessity require the proposed service.
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 revised certificate of public convenience and necessity as sought by Calkins should be granted.

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 Les Calkins Trucking, Inc., a corporation, authorizing it to operate as a cement carrier, as defined in PU Code Section 214.1, between the points set forth 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 30 days' notice to the Commission; and make tariffs effective 30 or more days after this order is effective.
- d. Comply with General Orders Series 100, 104, and 117, and the California Highway Patrol safety rules. ✓
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. File an annual report by April 30 of each year.

- g. 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.

3. Applicant's request for a waiver of the notice requirements of Rule 37(a) of the Commission's Rules of Practice and Procedure is granted.

4. The cement carrier certificate granted by Decision 78691 dated September 12, 1963 in Application 52528 is revoked on the effective date of the tariffs.

This order becomes effective 30 days from today.

Dated NOV 3 1981, at San Francisco, California.

JOHN F. BRISON
President
EDWARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

*I certify that this decision was approved
by the above Commissioners today.*

Joseph E. Bobbitt

Les Calkins Trucking, Inc. by the certificate of public convenience and necessity granted by the decision noted in the margin is authorized to conduct operations as a cement carrier, as defined in Section 214.1 of the Public Utilities Code, from any and all points of origin to all points in the following counties subject to the following restriction:

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

Issued by California Public Utilities Commission.

Decision 93707, Application 60721.

RESTRICTION

This certificate shall lapse and terminate if not exercised for a period of one year.

(END OF APPENDIX A)

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