

Findings of Fact:

1. Almost four thousand highway carriers hold active certificates of public convenience and necessity which authorize statewide general commodity operations. More than two hundred active cement carrier certificates are currently in force.
2. The Commission receives a significant number of uncontested requests for amendments to certificates to reduce the authorized scope of operations. The grant of these requests is a ministerial function.
3. The types of transportation requested to be performed by carriers who hold highway common carrier certificates and cement carrier certificates is typically available from numerous other authorized carriers.

Conclusions of Law:

The Executive Director should be authorized to amend highway common carrier and cement carrier certificates of public convenience and necessity at the request of the certificate holders to reduce the geographical scope of operations and/or commodities authorized to be transported.

IT IS ORDERED that:

The Executive Director is authorized to grant uncontested requests for amendment of highway common carrier and cement carrier certificates of public convenience and necessity to reduce the scope of operations. The authority granted shall be exercised under the following circumstances:

- 1) An appropriate written request shall be made by the carrier or its authorized representative (only the original need be filed).
- 2) The amending order shall include a finding that public convenience and necessity do not require the services of the carrier for the commodities and/or geographical area or points to be deleted.

This resolution is effective today.

I certify that this resolution was duly adopted by the Public Utilities Commission at its regular meeting on MAR 25 1987.  
The following Commissioners voted favorably.



Executive Director

Commissioner John B. Ohanian,  
present but not participating.

STANLEY W. HULETT  
President

DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
Commissioners.

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PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution 18243  
Transportation Division

( RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO GRANT REQUESTED )  
( AMENDMENTS TO HIGHWAY COMMON CARRIER AND CEMENT CARRIER CERTIFICATES OF )  
( PUBLIC CONVENIENCE AND NECESSITY TO EXCLUDE THE TRANSPORTATION OF )  
( COMMODITIES AND/OR GEOGRAPHICAL AREAS )

Under the Commission's reregulation program adopted in Decision 86-04-045, Case 10368 et al., highway common carriers who formerly had adopted one or more of the Commission's Transition Tariffs were required to file their own tariffs or participate in bureau or agency tariffs. Most of these carriers hold statewide general commodity certificates of public convenience and necessity. They were authorized to expand and contract operations under the certificates, at will, by adjustments to the scope of their tariffs on file. This convenient tariff adoption opportunity encouraged many carriers to adopt the full array of general freight transition tariffs although their actual operations were significantly less extensive in territory and commodities than covered by their tariffs. These carriers are now required to replace their adoptions of the transition tariffs with their own filings, and in order to avoid the expense of unnecessary tariff provisions, many ask that their certificates be amended to exclude certain commodities and service points. Most of these carriers also hold one or more highway carrier permits and are able to transport the commodities authorized by their certificates under their permitted authority.

Similarly, cement carriers occasionally desire to withdraw from inactive markets and request reduction in the scope of their certificates. The combined transportation capacity of over two hundred cement carriers currently in business is more than adequate to serve any foreseen demand and can readily be expanded by new operators as needed.

The Commission has previously delegated authority to the Executive Director to amend the permits of highway carriers. However, under existing procedures the amendment of highway common carrier and cement carrier certificates involves formal Commission action.

In view of the numerous carriers who hold active certificates of public convenience and necessity which authorize statewide - general commodity operations, or transportation of truckload cement, the grant of uncontested requests for reductions in the scope of those certificates is a routine ministerial function which can be delegated to the Executive Director.

Requests to add additional commodities or territory to highway common carrier or cement carrier certificates will continue to require the filing of applications under the provisions of Section 1063 of the Public Utilities Code.