

Decision No. 54133

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of RAY SCHNEYER)
TRANSPORTATION COMPANY, a California Corporation,) Application
for authority to charge less than minimum rates,) No. 35738
pursuant to Section 3666 of the Public Utilities) (Second
Code, for the transportation of glass fruit jars) Supplemental)
and equipment, glass packer jars, glass bottles,)
jelly glasses, jar tops, caps, discs or tops, and)
rubber jar rings for Ball Brothers Company, Inc.)

SECOND SUPPLEMENTAL OPINION AND ORDER

Applicant holds a highway contract carrier and a city carrier permit. By prior orders in this proceeding, it was authorized to deviate from the minimum rates otherwise applicable for the transportation of glass bottles, jars, caps and related articles for Ball Brothers Company, Inc., to points within a 50-mile radius of the shipper's plant at El Monte. The authority allows the use of specified rates plus a 5 percent surcharge which are less than the rates and surcharges in Minimum Rate Tariff No. 2. These authorized rates are subject to minimum charges not less than the charges which would accrue under the hourly rates in Minimum Rate Tariff No. 5. The authority is scheduled to expire December 27, 1956. Permission is sought to continue to deviate from the minimum rates for a further one-year period.

The supplemental application states that the conditions which justified deviation from the minimum rates still obtain. It shows that operations under the authorized bases of rates have been compensatory for the transportation in question and may reasonably be expected to be profitable during the ensuing year. It further states that, although rates in Minimum Rate Tariff No. 2 were increased with a 7 percent surcharge and the hourly rates in Minimum Rate Tariff No. 5 were also increased,¹ the rates with the 5 percent

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Decision No. 52971, dated April 24, 1956, in Case No. 5432, Petition for Modification No. 62 (1st Supp.), and Decision No. 53699, dated August 29, 1956, in Case No. 5435, Petition for Modification No. 10.

surcharge applicant is authorized to assess still produce charges in excess of the charges which would otherwise accrue from the application of the hourly rates in Minimum Rate Tariff No. 5.

In the circumstances it appears, and the Commission finds, that the proposed rates are reasonable. The application will be granted. This is a matter in which a public hearing is not necessary.

Therefore, good cause appearing,

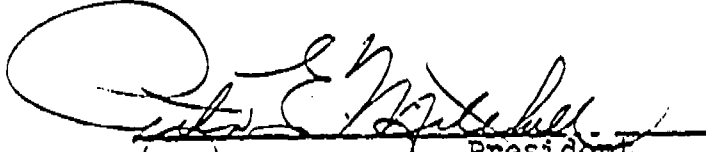
IT IS HEREBY ORDERED:

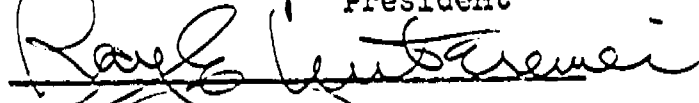
(1) That the expiration date of the authority granted by Decision No. 50843 of December 7, 1954, as amended, be and it is hereby extended to December 27, 1957, unless sooner canceled, changed or further extended by order of the Commission.


(2) That any transportation performed by applicant as a common carrier of the same commodities between the same points shall be cause for revocation of the authority herein granted.


This order shall become effective twenty days after the date hereof.

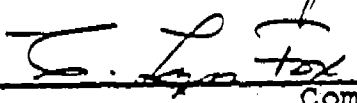
Dated at San Francisco, California, this 27th day of November, 1956.



President








Commissioners