

Decision No. 55176

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

| | |
|---------------------------------------|-----------------------|
| In the Matter of the Application of) | |
| Dan Keeney for authority, under) | |
| Section 3666 of Highway Carriers') | |
| Act and under Section 4015 of City) | Application No. 34534 |
| Carriers' Act, to charge other than) | (Fourth Supplemental) |
| minimum rates on Grain, Grain) | |
| Products and other articles trans-) | |
| ported for General Mills, Inc.) | |

FOURTH SUPPLEMENTAL OPINION AND ORDER

Dan Keeney, doing business as Keeney Truck Lines, transports property for General Mills, Inc., Sperry Division, between points in southern California. He has been authorized to observe monthly vehicle unit rates in lieu of the minimum rates stated in cents per 100 pounds otherwise applicable to this transportation. The authority is scheduled to expire July 31, 1957. By this supplemental application, authority is sought to continue to deviate from the minimum rates for a further one-year period and to increase the vehicle unit charges per month, no change being sought for the excess mileage charges.

The supplemental application states that, except for increased labor costs, the conditions which justified deviation from the minimum rates still obtain. It also shows that the higher costs have been offset by the increases proposed, which applicant has been assessing since September 1, 1956. By Decision No. 54617 dated March 5, 1957, in Case No. 5432, Petition No. 77, monthly vehicle unit rates were established in Minimum Rate Tariff No. 2. Applicant's

authorized monthly vehicle unit rates are below those prescribed. However, the supplemental application shows that his operations under the lower rates are profitable and will be profitable for the ensuing year.

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

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Decision No. 47484 of July 15, 1952, as amended, be and it is hereby further amended by substituting for the rate provisions of Item No. 15 of Appendix "A" attached thereto the following:

| <u>Maximum Load In Pounds</u> | <u>Vehicle Unit Charge per Calendar Month (a)</u> | <u>Excess Mileage Charge (b)</u> |
|------------------------------------|---|--|
| Over 12,000 but not over 20,000 | 810 | 20 |
| Over 20,000 | 1055 | 32 |

(a) Rates in dollars per unit.

(b) Rates in cents per mile to be applied to the mileage, if any, by which the aggregate mileage of all vehicle units subject to the same vehicle unit charge exceeds 1,250 miles multiplied by the number of said vehicle units.

(2) That the expiration date of the authority granted by said Decision No. 47484, as further amended herein, be and it is hereby extended to July 31, 1958, unless sooner changed or further extended by order of the Commission.

(3) 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 Los Angeles, California, this 25th day of June, 1957.

President
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Commissioners