

ORIGINAL

Decision No. 58099

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Consolidated Freightways, Inc., a corporation, (successor on merger to Lamb Transportation Company, a corporation) for authority to charge less than the minimum rates for the transportation of Soda Ash from Bartlett, Trona and Westend to Boron, California.)	
)	
)	Application No. 40856
)	
)	
)	

OPINION AND ORDER

Consolidated Freightways, Inc., holds radial highway common carrier, highway contract carrier and city carrier permits.¹ It also holds certificates to operate as a highway common carrier and as a petroleum irregular route carrier between points not involved in this proceeding.

By this application, it seeks authority as a highway contract carrier to transport soda ash, in bulk, for the United States Borax and Chemical Corporation from Bartlett, Trona and Westend to Boron at rates lower than the established minimum rates.

Applicant is the successor on merger and dissolution to the operations and the assets of Lamb Transportation Company, a California corporation, theretofore subject to the jurisdiction of this Commission. Authority similar to that herein sought was held by Lamb Transportation Company and was extended to the present applicant on an interim basis to permit the preparation of evidence from which the Commission might determine the reasonableness of continuing the authority (Decision No. 57408, dated September 29, 1958, in Application No. 39442).

¹ By Decision No. 57408 of September 29, 1958, in Application No. 39442, applicant's radial highway common carrier permit was conditioned to exclude the transportation involved in this proceeding.

The present application now shows that applicant has continued to conduct the operations involving the transportation of soda ash in hopper-bottomed equipment on a round-the-clock basis from Bartlett, Trona and Westend to Boron, in a similar manner and in similar circumstances to those by which such traffic was heretofore transported by Lamb Transportation Company. Attached to the application is a cost study reflecting the expense and profit per load for transportation of the subject commodities at the proposed rates, indicating operating ratios of 90.71 percent, 89.27 percent, and 85.65 percent for the respective load movements, returning on an over-all basis an operating ratio of 88.54 percent. The application avers that, for the particular transportation involved, the minimum rates, as to this applicant, continue to produce charges in excess of those which are just and reasonable and alleges that, unless applicant is permitted to continue in effect rates as proposed, the traffic will be lost to proprietary trucking.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable. The application will be granted. A public hearing is not necessary. In view of the expiration date of the current authority, the following order will be made effective March 16, 1959.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Consolidated Freightways, Inc., is hereby authorized to transport soda ash, in bulk, for United States Borax and Chemical Corporation at less than the established minimum rates but not less than the following:

<u>From</u>	<u>To</u>	<u>Rate in Cents per 100 Pounds</u>	<u>Minimum Weight (in pounds) Per Shipment</u>
Bartlett	Boron	23.50	50,000
Trona	Boron	15.25	50,000
Westend	Boron	15.25	50,000

(2) That the authority herein granted shall expire March 16, 1960, unless sooner canceled, changed or extended by order of the Commission.

The effective date of this order shall be March 16, 1959.

Dated at San Francisco, California, this 10th day of March, 1959.

[Signature]
President

[Signature]
Commissioners