

Decision No. 59128

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application by Dan) Application No. 41092  
Keeney for Authority under Section 3666) (First and Second  
of the Highway Carriers' Act and under ) Petition for Modification)  
Section 4015 of the City Carriers' Act,) to charge other than minimum rates on )  
Grain, Grain Products and other articles) transported for General Mills, Inc. )

SUPPLEMENTAL OPINION AND ORDER

Prior orders in Application No. 34534 authorized Dan Keeney to transport all commodities for General Mills, Inc., Sperry Division, at monthly vehicle unit rates which are lower than those established as minimum. Decision No. 58680, dated June 29, 1959, in this proceeding, authorized continuation of the deviation but restricted it to apply only to grain, grain products and related articles as described in Minimum Rate Tariff No. 2.

Dan Keeney now seeks the removal of the above commodity restriction so that the authority will apply to all commodities transported by him for the shipper involved, to include Hemet, El Cajon and Atascadero as points of origin, and to substitute "Operations" for "Division" in the shipper's name.

In support of the request for removal of the commodity restriction involved, Keeney states that, in addition to grain and grain products, he has been transporting cake frosting powder, sponges, ingredients, mill supplies and various other commodities for the above-named shipper; that these commodities are carried in the equipment covered by the monthly vehicle unit charges authorized under the current rate authority; and that such commodities are usually carried at the same time as the grain and grain products or are brought into the mill on return trips.

Concerning his request to include Hemet, El Cajon and Atascadero as points of origin, Keeney states that there are emergencies when General Mills must have feed moved from these storage points to points located in counties named under the current authority. He states that these emergencies arise when trucks operated by General Mills at their bulk feed storage facilities at Hemet, El Cajon or Atascadero are temporarily out of service for repairs, or when there is a temporary shortage of certain types of feed at the General Mills plant at Vernon requiring withdrawal of feed from these outlying storage facilities for delivery to farms.

In the circumstances, it appears, and the Commission finds, that the proposed removal of the commodity restriction and change in the shipper's name is justified; and that the proposed rates from the additional points of origin are reasonable and consistent with the public interest. This is a matter in which a public hearing is not necessary. The order will be made effective on the date hereof.

Therefore, good cause appearing,

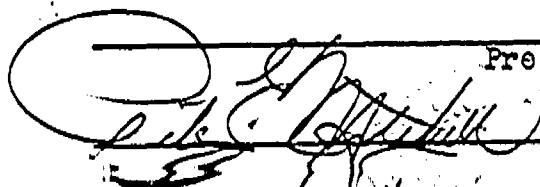

IT IS ORDERED:

(1) That Decision No. 58680, dated June 29, 1959, in this proceeding is hereby amended as set forth in Appendix "A" attached hereto and by this reference made a part hereof.

(2) That in all other respects Decision No. 58680 shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 6th day of October, 1959.

  
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President  
  
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Theodore Jenner  
\_\_\_\_\_  
Commissioners

APPENDIX "A" TO DECISION NO. 59128

IN APPLICATION NO. 41092

ITEM NO.    RULES AND REGULATIONS

APPLICATION OF RATES - CARRIERS - COMMODITIES

- 5          Rates in this Appendix are applicable only for the transportation of all commodities for General Mills, Inc., Sperry Operation.

APPLICATION OF RATES - TERRITORY

Rates in this Appendix apply only within the territory hereinafter described:

- (1) Between points within the following described territory (see Note):

10          Commencing at San Clemente on U.S. Highway No.101, thence northerly on said U.S. Highway No. 101 to San Juan Capistrano, thence northeasterly via State Highway No. 74 to the point said Highway No. 74 intersects State Highway No. 71 at a point two miles northwest of Elsinore, thence northwesterly along said Highway No. 71 to Cornna, thence northeasterly along State Highway No. 18 to Colton, thence easterly along U.S. Highway No. 99 to the point said Highway No. 99 intersects U.S. Highway No. 395 at a point two miles south of San Bernardino, thence northerly along said Highway No. 395 to the point of intersection with a county road 1 mile east of Muscoy, thence via an airline drawn from said point of intersection through Alta Loma, Glendora, Monrovia and Altadena to La Canada, thence northwesterly along State Highway No. 118 to San Fernando, thence westerly along said Highway No. 118 to Chatsworth, thence southerly along State Highway No. 27 to the point where said highway, if extended, would meet the Pacific Ocean at a point approximately 5 miles northwest of Santa Monica, thence southerly along the shore line of the Pacific Ocean to point of beginning.

(NOTE. - Where the boundary line intersects the limits of an incorporated city, the boundary line shall follow the city limits so as to include the city within the above defined area.)

- (2) Between points within the area described in Paragraph 1 and points in the following counties:

Los Angeles, Orange, San Diego, Imperial,  
Riverside, San Bernardino, Ventura,  
Santa Barbara, San Luis Obispo, Kern, Inyo.

- (3) From Hemet, El Cajon and Atascadero to points located in the counties named in Paragraph (2).

ITEM NO. RULES AND REGULATIONS (Concluded)

## BASIS FOR COMPUTING RATES

Charges on shipments transported under the provisions of this Appendix shall be computed in accordance with the following:

<u>Type of Unit</u>	<u>Vehicle Unit Charge per Calendar Month</u>	<u>Excess Mileage Charge</u>
15		
Two Axle Truck	\$ 875.00	.21¢ *
Tractor Semi- Trailer Combination	\$1,135.00	.34¢ *

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

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END OF APPENDIX "A"