

Decision No. 53664

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CONSOLIDATED)
FREIGHTWAYS CORPORATION OF)
DELAWARE, a corporation, for)
authority to charge less than)
minimum rates for the trans-)
portation of Soda Ash from)
Bartlett, Trona and Westend)
to Boron, California.)

Application No. 41875

OPINION AND ORDER

Consolidated Freightways Corporation of Delaware holds radial highway common carrier, highway contract carrier and city carrier permits. 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, filed January 21, 1960, authority is sought by Consolidated Freightways Corporation of Delaware, 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.

Authority similar to that herein sought was held by applicant's predecessor on reorganization, Consolidated Freightways, Inc., Lamb Tank Lines Division. That authority is scheduled to expire March 16, 1960. Authority is now sought to continue to deviate from the minimum rates until March 16, 1961.

The application 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, under the same circumstances under which said traffic was heretofore transported by applicant's predecessor. Attached to the application is a cost study reflecting the expense and profit per load for transportation of the subject commodity at the proposed rates, indicating operating ratios of 91.14 percent, 89.69 percent, and 85.78 percent for the respective load movements, returning on an over-all basis an operating ratio of 88.87 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 assess rates as proposed, the traffic will be lost to proprietary trucking.

The Transportation Division staff has reviewed the verified application and has recommended that the sought authority be granted.

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.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Consolidated Freightways Corporation of Delaware is hereby authorized to transport soda ash, in bulk, for United States Borax and Chemical Corporation at less than the

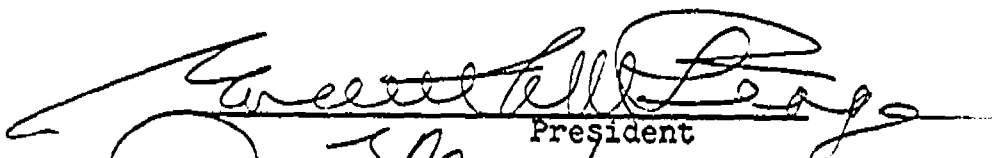
established minimum rates but not less than the following:

| <u>From</u> | <u>To</u> | <u>Rate in Cents per 100 Pounds</u> | <u>Minimum Weight (in pounds) Per Shipment</u> |
|-------------|-----------|---|--|
| Bartlett | Boron | 23.75 | 50,000 |
| Trona | Boron | 15.5 | 50,000 |
| Westend | Boron | 15.5 | 50,000 |

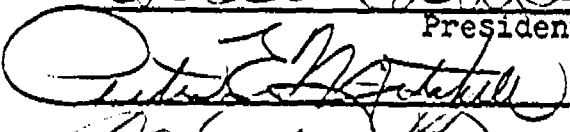
(2) That the authority herein granted shall expire March 16, 1961, unless sooner canceled, changed or extended by order of the Commission.

The effective date of this order shall be twenty days after the date hereof.

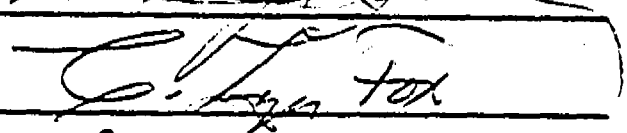
Dated at San Francisco, California, this 16th day of February, 1960.




President



Member Board



Commissioners



Commissioners