

Decision No. \_\_\_\_\_

**60447**

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
DAN KEENEY and KEENEY TRUCK LINES,  
L.C., Grain Products Division, a  
California corporation, for authority  
under Section 3666 of Highway Carrier's  
Act and under Section 4015 of City  
Carrier's Act, to charge other than  
minimum rates on Grain, Grain Products  
and other articles transported for  
GENERAL MILLS, INC.; and for authority  
to transfer from DAN KEENEY to KEENEY  
TRUCK LINES, L.C., Grain Products  
Division of the rights granted under  
Decision 58680 of June 29, 1959, and  
Decision 59128 of October 6, 1959.

Application No. 42284

OPINION AND ORDER

Prior orders in Application No. 41092 authorized Dan Keene: to charge less than the minimum rates, as a highway permit carrier, for the transportation of all commodities for General Mills, Inc., Sperry Operation. This authority is scheduled to expire July 31, 1960.

By this application, filed May 23, 1960, Dan Keeney requests that the present authority to charge less than minimum rates be transferred<sup>1</sup> to a new corporation, Keeney Truck Lines, Inc., Grain Products Division, until July 31, 1960, and that thereafter, the new corporation be authorized to transport all commodities for General Mills, Inc., between the same specified points at rates less than the minimum rates. Applicant requests also that the authority to charge less than the minimum rates be modified by adjusting the authorized rates and by adding Victorville as an origin point. The proposed rates are higher than those currently authorized as a minimum for this applicant, but lower than the minimum rates which otherwise would be applicable.

<sup>1</sup> Dan Keeney was recently authorized to transfer his highway contract carrier and city carrier permits to Keeney Truck Lines, Inc., Grain Products Division and to transfer his radial highway common carrier permit to Keeney Truck Lines, Inc., Clay Products Division. ✓✓

According to the application, applicant has been assessing the higher bases of rates since September 1, 1959, in order to meet increased operating costs, chiefly labor costs which became effective on that date.<sup>2</sup>

Concerning the request to include Victorville as a point of origin, applicant states that at this point the shipper maintains a bulk feed storage facility similar to those maintained at El Cajon, Hemet and Atascadero. Applicant further states that emergencies arise when trucks operated by General Mills, Inc., at these bulk feed storage facilities are temporarily out of service for repairs, or when there is a temporary shortage of certain types of feed at the shipper's plant at Vernon requiring withdrawal of feed from these outlying storage facilities for delivery to farms.

The Transportation Division staff has reviewed the application and has recommended that it be granted.

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 application will be granted.

Because the conditions under which the service is performed may change at any time, the authority will be made to expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Keeney Truck Lines, Inc., Grain Products Division, operating as a highway contract carrier and as a city carrier, is hereby authorized to transport all commodities for General Mills, Inc., at rates and charges which differ from those established as minimum but not less than those specified between the points shown in and

<sup>2</sup>

No authority for the increase was required from this Commission, inasmuch as applicant is a permitted carrier for which only minimum rates have been established. Authority to continue the use of such rates beyond July 31, 1960, is required, however, inasmuch as the rates are below the minimum rates otherwise applicable.

subject to the rules and regulations set forth in Appendix "A" attached hereto and by this reference made a part hereof.

(2) That the authority herein granted shall expire July 31, 1961, unless sooner canceled, changed or extended by order of the Commission.

The effective date of this order shall be July 31, 1960.

Dated at San Francisco, California, this 26th day of July, 1960.

John L. Duggan President  
William F. Hall  
E. J. Fox  
Theodore J. Jenner Commissioners

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.

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):

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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 Corona, 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 territory.)

- (2) Between points within the territory 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, Atascadero and Victorville to points located in the counties named in Paragraph (2).

APPENDIX "A" TO DECISION NO. 60442

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	\$ 925.00	.21¢ *
	Tractor Semi- Trailer Combination	\$ 1,165.00	.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.

(END OF APPENDIX "A")