

ORIGINAL

Decision No. 65232

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 RAY A. SCHNEYER and RAY G. SCHNEYER,)
 copartners, doing business under the)
 fictitious firm name of GLASS TRANSPORT)
 CO., for authority to deviate from)
 minimum rates pursuant to Section 3666)
 of the Public Utilities Code, for the)
 transportation of glass fruit jars and)
 equipment, glass packer jars, glass)
 bottles, jelly glasses, jar tops, caps,)
 discs or tops, and rubber jar rings for)
 Ball Brothers Company, Inc.)

Application No. 44916

Russell & Schureman, by R. Y. Schureman and Carl H. Fritz, for applicant.
James Quintrall, J. C. Kaspar and Arlo D. Poe, for California Trucking Associations, Inc., interested party.
Ralph J. Staunton and R. J. Carberry, for the Commission staff.

O P I N I O N

By this application, filed November 5, 1962, Ray A. Schneyer and Ray G. Schneyer, copartners doing business as Glass Transport Co., seek authority to charge less than the minimum rates otherwise applicable for the transportation of glass bottles, jars, caps and related articles for Ball Brothers Company, Inc., from that company's plant in El Monte to points located within a 50-mile radius of El Monte. Decision No. 64677, dated December 18, 1962, granted the sought authority on an interim basis pending a public hearing. The interim authority expires May 7, 1963. By Petition for Substitution, filed February 14, 1963, applicants stated that they had incorporated and requested that Glass Transport Co., a corporation, be substituted for the partners in the application and in the authority granted by Decision No. 64677. The

substitution was granted by Decision No. 64980, dated February 19, 1963.

Public hearing on the application was held before Examiner Turpen at Los Angeles on March 19, 1963. Evidence was presented by applicant's president. Representatives of the California Trucking Associations, Inc., and of the Commission's staff assisted in developing the record. No one opposed granting of the sought authority.

The present officers of Glass Transport Co. were formerly the principal officers of Ray Schneyer Transportation Company which has performed the transportation services involved here for a number of years. The rates sought herein are the same as those which have heretofore been authorized for Ray Schneyer Transportation Company.

As the rate deviation herein involved was first authorized in 1954, and the rates have not been adjusted since 1958, and also in consideration of the change in carrier performing the service, interim authority was granted pending public hearing.

Applicant's president testified that practically all of applicant's business is the transportation performed for Ball Brothers. He said that the shipper provides his company with terminal space at no charge and loads the equipment, and that the consignees at all destinations perform the unloading. The agreement with the shipper provides that no split delivery or multiple lot shipments will be tendered for transportation. He presented a profit and loss statement covering the month of January 1963, when the transportation was performed by the partnership under the authorized rates. The statement showed revenues of \$10,133 and expenses of \$8,980, or a net operating income of \$1,153, before provision for income taxes. It was developed on cross-examination

that the statement did not include provision for salaries for applicant's officers which would amount to about \$600 a month. It was also developed that some of the expenses were higher than normal due to additional costs in changing the ownership status of the business from a partnership to a corporation, that a cost for rent of about \$500 per month will no longer be incurred after September and that changes in methods of equipment maintenance will result in savings of about \$400 a month.

Another exhibit introduced by the witness showed that the charges assessed under the authorized rates for a five-day period were greater than those that would result under the hourly vehicle rates set forth in Minimum Rate Tariff No. 5.

It appears that applicant can perform the transportation service here involved under the sought rates at a reasonable profit. Therefore, the Commission finds that the proposed rates are reasonable. However, as conditions may change, the authority will be limited to a one-year period.

By amendment to the application, applicant states that his terminal has been changed from Montebello to El Monte, and asks that the authority be changed accordingly. This will be done.

As the present authority expires on May 7, 1963, the order herein will be made effective on that date.

O R D E R

IT IS ORDERED that:


1. Glass Transport Co., a corporation, is hereby authorized to transport glass bottles and jars, caps, covers, discs, tops, rubber jar rings and bottle carrying cartons for Ball Brothers Company, Inc., at rates less than the established minimum rates

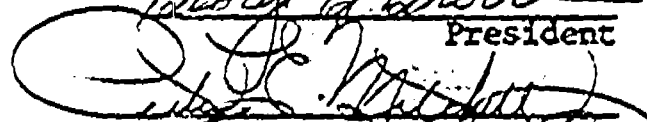
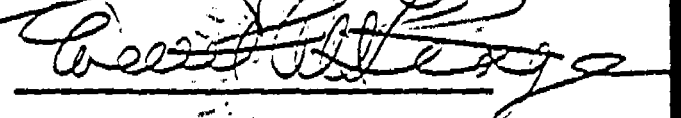
but not less than those set forth in, and subject to the conditions specified in Appendix A attached hereto and by this reference made a part hereof.


2. The authority herein granted shall expire one year after the effective date hereof, unless sooner changed or canceled by order of the Commission.

This order shall become effective on May 7, 1963.

Dated at San Francisco, California, this 16th day of APRIL, 1963.


President


Commissioners


Commissioners

APPENDIX A TO DECISION NO. _____

APPLICATION OF RATES FOR TRANSPORTATION PERFORMED

By: GLASS TRANSPORT CO., a corporation

For: BALL BROTHERS COMPANY, INC.

1. COMMODITIES

The rates herein apply for the transportation of the following commodities on pallets and include the return of empty pallets:

- (a) Glass bottles or jars, with or without equipment, one gallon or less in capacity.
- (b) Caps, covers, discs, or tops (other than display) nested or not nested.
- (c) Rubber jar rings.
- (d) Bottle carrying cartons, set up or folded flat, in packages.

2. TERRITORY

Between the El Monte plant of Ball Brothers Company, Inc., and points within a radius of 50 constructive miles of El Monte, said mileage to be computed in accordance with the provisions of the Commission's Distance Table No. 4.

3. RATES (In Cents per 100 Pounds)

<u>Over</u>	<u>Miles</u>		<u>Minimum Weight in Pounds</u>				
	<u>Not Over</u>	<u>AQ</u>	<u>2,000</u>	<u>4,000</u>	<u>10,000 (See Note)</u>	<u>20,000 (See Note)</u>	<u>36,000 (See Note)</u>
0	3	98½	56½	44	25½	13½	8
3	5	99½	58½	46½	25½	13½	8
5	10	100½	59½	47½	26½	16½	9½
10	15	101½	62½	50	28½	17½	10
15	20	102½	64	51	30	18½	10½
20	25	103½	67	52	32	20	11
25	30	104	70	53	33½	21	12
30	35	104	72	55½	34½	22½	12½
35	40	105	73	56½	35½	24	14
40	45	106	76	59	38	24½	15
45	50	107	77½	60	39	26	15

Note 1

The minimum weights subject to this note apply except as otherwise provided in connection with applicable carload ratings in Western Classification No. 78 of Western Classification Committee, Agent, and supplements thereto or reissues thereof when the provisions of such supplements or reissues have been approved by the Commission; in Exception Sheet No. 1-S, Cal. P.U.C. No. 193 of Pacific Southcoast Freight Bureau, Agent, and supplements thereto or reissues thereof when the provisions of such supplements have been approved by the Commission; or in Minimum Rate Tariff No. 2.

Note 2

Neither split delivery service nor multiple lot shipment service will be provided.

4. CONDITIONS

- (a) The charges assessed and herein authorized shall in no event be less in total for the vehicles used in the transportation than the charges which would apply from application of the hourly rates named in Item No. 420 of Minimum Rate Tariff No. 5 to the transportation performed. For the purposes of applying the hourly rates to said transportation, the hours shall be computed from the time that the carrier's equipment leaves the carrier's terminal at 4000 North Arden Drive, El Monte, until it returns to said terminal except that no charge shall be made for the time that the equipment is held under load at carrier's terminal overnight, on Saturdays, on Sundays, and on legal holidays.
- (b) Glass Transport Co. shall retain and preserve copies of its freight bills covering the transportation involved herein for a period of not less than three years from the dates of issuance of said bills; each such copy of its freight bills shall have attached thereto: (A) a statement of the charges computed under Minimum Rate Tariff No. 5; and (B) full information necessary to accurately determine the charges under said hourly rates.

(END OF APPENDIX A)