

GENERAL

Decision No. 65445

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HARRY McKENZIE TRUCKING CO., a cor-)
poration, for an order authorizing)
departure from the rates, rules and)
regulations of Minimum Rate Tariff)
No. 2, pursuant to the provisions)
of Section 3666 of the Public)
Utilities Code for the transporta-)
tion of brandy.)

Application No. 45355
(Filed April 18, 1963)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits.¹ By Decision No. 63726 dated May 22, 1962, in Application No. 44384, applicant was authorized to transport brandy, in barrels, for Fromm & Sichel, Inc., between Lac Jac, on the one hand, and Biola, Fowler, Monmouth, Mission Bell and Lodi, on the other hand, at rates less than the established minimum rates. The current authority is scheduled to expire with June 17, 1963.

By this application, applicant seeks authority to continue in effect the currently authorized rates, except the rate from and to Lodi, for a further one-year period.²

Applicant alleges that the general conditions concerning the transportation characteristics involved have remained virtually unchanged since the current authority was granted; that the volume of traffic under the current authority has been greater than

¹ It is also authorized to operate as a highway common carrier of specified commodities between certain points not involved herein.

² A rate less than the minimum rate to and from Lodi was initially authorized to become effective June 17, 1962.

anticipated;³ that operations under the current rates have been profitable; and that they are expected to continue to be profitable for the ensuing year.

Applicant declares that the record in prior proceedings has indicated that the shipper, Fromm & Sichel, Inc., is prepared to engage in proprietary operations, should the need arise, and has the necessary facilities to do so. Applicant alleges that continuation of the authority sought herein is essential in order that it may retain the shipper's traffic.

Applicant states that no request is made to continue the authorized rates to and from Lodi because no shipments of brandy to or from Lodi have been tendered by the shipper and that no such shipments are in prospect.

The verified application shows that on or about April 17, 1963, a copy thereof was served on various parties believed to be interested, including the California Trucking Association. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable. A public hearing is not necessary. The application will be granted.

Good cause appearing,

IT IS ORDERED that:

1. Harry McKenzie Trucking Co., a corporation, is hereby authorized under Section 3666 of the Public Utilities Code to transport brandy, in barrels, between Lac Jac, on the one hand, and Biola, Fowler, Monmouth and Mission Bell, on the other hand, for Fromm & Sichel, Inc., at rates less than the established

³ In comparing the results of transportation performed under this authority for 1962 with those of 1961, the application indicates that the volume of traffic increased by 6,064 barrels and revenues by \$3,970.

minimum rates but not less than the following, subject to a minimum weight of 40,000 pounds per shipment:

<u>Between Lac Jac and</u>	<u>RATE (In Cents Per 100 Pounds)</u>
Biola	16.5
Fowler	13
Monmouth	13
Mission Bell	19

2. The authority herein granted shall, on and after June 17, 1963, supersede the authority granted by Decision No. 63726, and shall expire with June 17, 1964.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 21st day of May, 1963.

George T. Grover
President

John J. Hill

Frederick B. Hobbieff

William W. Bennett

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the discussion of this proposal.
Commissioners