

Decision No. 65755

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 KEENEY TRUCK LINES, INC., Grain)
 Products Division, a California)
 corporation, for authority under)
 Section 3666 of Highway Carriers')
 Act and under Section 4015 of City)
 Carriers' Act, to continue to)
 charge other than minimum rates on)
 Grain, Grain Products and other)
 articles transported for GENERAL)
 MILLS, INC. under rights granted)
 under Decision 63864 of June 26,)
 1962.)

Application No. 45447
(Filed May 20, 1963)

OPINION AND ORDER

By Decision No. 63864 dated June 26, 1962, in Application No. 44458, Keency Truck Lines, Inc., Grain Products Division, was authorized, as a permit carrier, to assess monthly vehicle unit rates and charges which are less than the minimum rates and charges between specified points in Southern California for transportation for General Mills, Inc. The authority is scheduled to expire with July 31, 1963.

By this application, authority is sought to continue to charge less than the established minimum rates and to increase the currently authorized rates.¹

Copy of the application was served upon California Trucking Association on or about May 16, 1963. No objection to its being granted has been received.

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No authority for the increase is required inasmuch as applicant performs the transportation as a permitted carrier for which only minimum rates have been established. Authority to continue the use of the sought rates beyond July 31, 1963, is required, however, inasmuch as the rates differ from the minimum rates otherwise applicable.

Since 1938 applicant and its predecessors have been authorized to perform the transportation services herein involved at rates less than those which otherwise would be applicable as minimum. The authorization has been extended from year to year, with revisions and increases in the rates as necessary.

The present application includes a profit and loss statement for the year 1962, related to the transportation services herein involved. The statement shows that the higher rates as herein proposed were made effective on September 1, 1962, by voluntary agreement between applicant and the shipper, to coincide with the effective date of increased labor costs. The statement indicates that the operations for the year 1962 were profitable.

Applicant alleges that the operation continues to be profitable, and that the deviation is beneficial to both the shipper and applicant.

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

Because the conditions under which the service is performed may change at any time, the authority will be limited to expire with July 31, 1964, unless sooner canceled, changed or extended by order of the Commission. In view of the impending expiration date of the current authority, the order which follows will be made effective July 31, 1963.

Good cause appearing,

IT IS ORDERED that:

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

2. The authority herein granted shall, on and after July 31, 1963, supersede the authority granted by Decision No. 63864 and shall expire with July 31, 1964, unless sooner canceled, changed or extended by order of the Commission.

The effective date of this order shall be July 31, 1963.

Dated at San Francisco, California, this 23rd day of July, 1963.

William W. Bennett
President

John E. Bennett

Robert W. King

George L. Hoover

Frederick B. Hallock

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 north-easterly 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, Glondora, Monrovia and Altadena to La Canada, thence north-westerly 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).

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:

(1) <u>Type of Unit</u>	<u>Vehicle Unit Charge per Calendar Month</u>	<u>Excess Mileage Charge</u>
15 Two Axle Truck	\$ 1,125	21¢ *
Tractor Semi- Trailer Combination	\$ 1,410	36¢ *

* 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.

(2) Rates for helper service provided by applicant at request of General Mills, Inc. \$4.00 per man hour.

(END OF APPENDIX A)