

66583

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Sierra Distributing, Ltd., a Cali-)	Application No. 45918
ifornia Corporation, for authority to)	(Filed October 30, 1963)
continue charging less than minimum)	
rates.)	

OPINION AND ORDER

Sierra Distributing, Ltd., a corporation, holds radial highway common carrier, highway contract carrier and city carrier permits. By Decision No. 64756 dated January 8, 1963, in Application No. 44951, it was authorized to charge a rate less than the minimum rate otherwise applicable for the transportation of prepared edible flour from Sacramento to Los Angeles Territory for the Procter and Gamble Company (Procter and Gamble). The authority is scheduled to expire January 29, 1964. By this application, authority is sought to continue to charge the currently authorized rate.

The present authority provides for use of the Class E rate in Minimum Rate Tariff No. 2 instead of the otherwise applicable Class B rate. Under the authority now sought, applicant would state the rate specifically as 48 cents per 100 pounds, thereby making it independent of changes in the minimum Class E rate.

The authorized departure makes the rate subject to a minimum weight of 94,000 pounds per shipment, and to a tender to the carrier of not less than such amount southbound each day of not less than five days per week and not less than 50 weeks per year. As a further condition, Procter and Gamble shall tender to the carrier on each shipping day not less than 96,000 pounds of commodities for transportation from Long Beach to Sacramento.

Applicant alleges that since January, 1961, when the Sacramento plant of Procter and Gamble commenced the production of prepared edible flour, it has transported all such commodities to

the points named herein and that it has operated its equipment at full payload capacities on the round trips between Sacramento and Los Angeles plant warehouses of the shipper.

According to the application, Procter and Gamble has increased the use of this trucking service between plants to the mutual benefit of the shipper and applicant; the daily minimum weight requirements have been exceeded in actual operations; all equipment is loaded to full weight capacity in round trip operation regardless of minimum requirements; applicant and shipper have improved operational loading and unloading procedures to the mutual benefit of both parties; the volume of shipments is on a steady increase resulting in increased earnings for applicant; this haul is an important portion of applicant's revenues; the granting of the sought authority will have no adverse effect on other modes of transportation; and the proposed rates are necessary to maintain the traffic without interruption.

The application states that a copy thereof was served on California Trucking Association on or about October 30, 1963. No objection to its being granted has been received.

In the circumstances, it appears, and the Commission finds, that applicant's proposed rate for the transportation herein involved is reasonable. A public hearing is not necessary. The application will be granted. However, because the conditions involved herein may change at any time, the authority will be made to expire at the end of one year.

Good cause appearing,

IT IS ORDERED that:

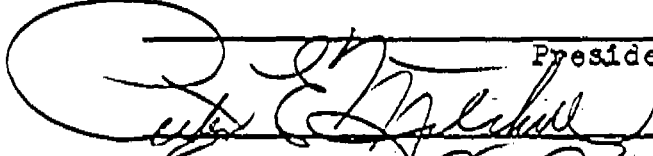

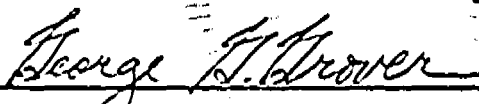
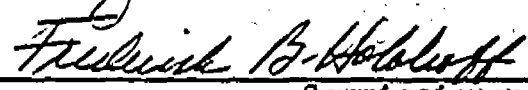
1. Sierra Distributing, Ltd., is hereby authorized to transport flour, prepared, edible, for Procter and Gamble Company, from Sacramento to Los Angeles Territory at rates and charges less than the established minimum rates and charges but not less than the

minimum rates and charges 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, on and after January 29, 1964, supersede the authority granted by Decision No. 64756 and shall expire with January 29, 1965.

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

Dated at San Francisco, California, this 4th day of January, 1964.

	<hr/>	President
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Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A TO DECISION NO. 66583

The authority herein granted applies only in connection with flour, prepared, edible, as described in Item No. 339 of Minimum Rate Tariff No. 2, transported by Sierra Distributing, Ltd. (hereinafter called "the carrier") for the Procter and Gamble Company (hereinafter called "Procter and Gamble") from Sacramento, on the one hand, to Los Angeles Territory as described in Item 270-3, Minimum Rate Tariff No. 2, on the other hand, subject to the following rates, rules, and regulations:

1. RATE: 48 cents per 100 pounds.
2. MINIMUM WEIGHT: 94,000 pounds per shipment, subject to a tender to the carrier of not less than such amount southbound, each day for not less than five days per week, excepting holidays, and not less than 50 weeks per year (hereinafter called "shipping day"). If, on any shipping day, Procter and Gamble is unable to tender to carrier 94,000 pounds of flour, prepared, edible, Procter and Gamble may include in such shipment soap, soap compounds and cleaning, scouring and washing compounds in an amount sufficient so that the entire shipment will comprise not less than 94,000 pounds. Such commodities of soap, soap compounds and cleaning, scouring and washing compounds shall be subject to rates and charges applicable under the provisions of Minimum Rate Tariff No. 2. Procter and Gamble shall tender to the carrier not less than 96,000 pounds of commodities from Long Beach plant or warehouse to Sacramento plant or warehouse on each shipping day as defined herein.
3. SPLIT DELIVERY SHIPMENTS: No component part of a split delivery shipment shall be less than 10,000 pounds. Split delivery shipments shall be subject to the charges as provided in Paragraph 2, Note 1, Item 170, Minimum Rate Tariff No. 2.
4. APPLICATION OF RATE: Applies only on shipments destined to Procter and Gamble plants or warehouses.

END OF APPENDIX A