

**ORIGINAL**

Decision No. 67945

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
SIERRA DISTRIBUTING, LTD., for the )	Application No. 46888
authorization to transport bulk )	(Filed August 13, 1964)
salt and sugar in shipper owned )	(Amendment filed
containers at rate below Minimum )	August 26, 1964)
Rate Tariff No. 2. )	

OPINION AND ORDER

Sierra Distributing, Ltd., holds radial highway common carrier, highway contract carrier and city carrier permits. By Decision No. 66034, dated September 17, 1963, in Application No. 45588, it was authorized to charge less than the minimum rates otherwise applicable for the transportation of bulk salt and sugar for Campbell Soup Company between Sacramento on the one hand, and Newark, Tracy and Crockett, on the other hand, and used empty bins from Sacramento to Newark, Tracy and Crockett. This authority is scheduled to expire October 7, 1964.

By this application, as amended, applicant seeks to extend the current authority. Applicant also requests that the authority be modified by providing a rating of 50 percent of the fourth class rating, subject to a minimum rate of 29 cents per 100 pounds, in lieu of stated rates in cents per 100 pounds for the transportation of the empty used bins returning for a pay load and by adding three new points of destination, Woodland, Manteca and Clarksburg, in connection with such transportation from Sacramento.

Applicant alleges that since 1958 it has hauled all the bulk salt and sugar for Campbell Soup Company from Newark, Tracy and Crockett to the shipper's Sacramento plant without interruption.

It is further alleged that this hauling is of a specialized nature and moves throughout the year with peak volume during the canning season. All loading and unloading is by lift trucks and flat bed equipment is used exclusively. Applicant's experience and the cooperation of Campbell have resulted in unusual economics not prevalent in ordinary transportation services. This movement has been profitable to applicant. Applicant asserts that the granting of this application will have no adverse effects on other modes of transportation.

The certificate of service shows that a copy of amended application was mailed to Campbell Soup Company, California Hawaiian Sugar Refining Corporation, California Trucking Association and Spreckels Sugar Company on August 25, 1964. No objection to the granting of the application, as amended, has been received.

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

Inasmuch as highway permit carriers do not require authority to assess rates above those prescribed as minimum and the sought rates for the transportation of salt between Sacramento and Tracy and Crockett are above those prescribed as minimum, the application will be dismissed with respect to such transportation.

In view of the expiration date of the current authority, the order which follows will be made effective October 7, 1964.

IT IS ORDERED that:

1. Sierra Distributing, Ltd., is hereby authorized to transport salt, sugar and used empty bins for Campbell Soup Company at less than the established minimum rates but not less than those set forth in, and subject to the provisions shown in, Appendix A attached hereto and by this reference made a part thereof.

2. The authority herein granted shall, on and after October 7, 1964, supersede the authority granted by Decision No. 66034 and shall expire with October 7, 1965.

3. In all other respects, Application No. 46888 is hereby dismissed.

This order shall become effective October 7, 1964.

Dated at Los Angeles, California, this 30th day of September, 1964.

*Fredrick B. Holcomb*  
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President  
*John J. Hill*  
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*George T. Crover*  
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*William A. Secord*  
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Commissioner Everett C. McKee, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A to Decision No. 67945Item No. 1

COMMODITY: Common Salt, in shipper owned bins of not less than 60 cubic feet capacity.

BETWEEN : Campbell Soup Company plant, Sacramento, on the one hand,

AND : Newark, on the other hand.

RATE : 25 cents per 100 pounds, subject to Note 1.

COMMODITY: Refined Sugar, in shipper owned bins of not less than 60 cubic feet capacity.

BETWEEN : Campbell Soup Company plant, Sacramento, on the one hand,

AND : Newark, Tracy and Crockett, on the other hand.

RATE : 25 cents per 100 pounds, subject to Note 1.

NOTE 1 : Minimum weight 45,000 pounds per shipment. Rate applies to the combined weight of the commodity and bins. The weight of the bins must be shown separately on the bill of lading and may not be used to make up the minimum weight of the shipment.

Item No. 2

COMMODITY: Used empty BINS, for return paying load of commodities in Item No. 1.

FROM : Campbell Soup Company plant, Sacramento.

TO : Newark, Crockett, Tracy, Woodland, Manteca and Clarksburg.

RATING : 50% of 4th class rating subject to a minimum rate of 29 cents per 100 pounds.

MINIMUM : 2,000 pounds per shipment.

Item No. 3

LOADING AND UNLOADING CARRIER'S EQUIPMENT:  
The loading and unloading of carrier's equipment will be performed by the shipper's lift trucks. One hour free time will be allowed for loading and unloading bins commencing from the time carrier's equipment is placed at the designated loading or unloading place. Delay in excess of free time will be charged for as provided in Item No. 145 of Minimum Rate Tariff No. 2.

Item No. 4

OTHER PROVISIONS:  
All other provisions of Minimum Rate Tariff No. 2 are to apply.

END OF APPENDIX A