

ORIGINAL

Decision No. 68180

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of BRUNO ALBERT MALUCCHI, an)
individual, doing business as)
A. M. DEVINCENZI COMPANY for)
authority to deviate from the)
rates, rules and regulations)
prescribed in City Carriers')
Tariff No. 1-A.)

Application No. 46940
(Filed August 31, 1964)

INTERIM OPINION AND ORDER

Applicant holds radial highway common, highway contract and city carrier permits.¹ By Decision No. 66228 dated October 29, 1963, he was authorized, as a city carrier, to charge less than the established minimum rates for the transportation of flour for eight flour companies within the City and County of San Francisco.² The current authority is scheduled to expire with November 4, 1964.

By this application, authority is sought to continue for an additional one-year period the currently authorized rates subject to certain modifications. Applicant proposes to deviate from the minimum rates in connection with shipments which are subject to minimum weights of 2,000 pounds or more. In addition, applicant proposes to increase the currently authorized rates for a 2,000

¹ Applicant is also authorized to operate as a highway common carrier of general commodities between points in northern California not involved herein.

² The flour companies are: Centennial Mills, Inc., Coast Dakota Flour Company, Cook Flour Company, Fisher Flour Mills, General Mills, Joe Lowe Corporation, Monarch Flour Company and Terminal Flour Mills Company.

pound minimum shipment by 2 cents and the rates for 5,000, 10,000 and 20,000-pound minimum shipments by 1 cent per 100 pounds. In all instances, the proposed basis of rates for shipments subject to a minimum weight of 2,000 pounds or more would be 1 cent per 100 pounds less than the current minimum rates otherwise applicable.

Applicant alleges that the need for the relief sought herein is the same as it was at the time of the filing of the original application; that the proposed rates are fully compensatory; and that based upon his experience during the past year and taking into consideration the rates proposed herein he is satisfied that he can continue to provide the service involved at a satisfactory profit.

By letter dated September 14, 1964, from the Acting Secretary of the Commission applicant was requested to furnish a revenue and expense statement pertaining to the specific transportation involved in this authority, plus any other information pertinent thereto. In reply applicant's attorney stated, in part, as follows:

"We have your letter of September 14, 1964. It would not be possible to give you a revenue and expense statement for the transportation of flour within the City and County of San Francisco without a cost study. We could, of course, supply revenue by breaking down the account of each of the companies for whom flour is hauled. Expenses, obviously for the most part, are included with the overall and no separate allocation is made as a matter of course. A cost study such as was originally made in Application No. 43533 would have to be made. It is not believed that this should be required for, in effect, a renewal each succeeding year to authority heretofore granted."

The verified application shows that a copy thereof was served on the California Trucking Association on or about August 28, 1964. No objection to its being granted has been received.

The rate deviation herein involved was authorized by Decision No. 62672 dated October 10, 1961, in Application No. 43533. In the circumstances, the application will be set for public hearing. Meanwhile, pending receipt of further evidence from the applicant and any other interested parties, applicant will be authorized to quote and assess rates on the sought basis for a period of approximately 120 days.

Subject to further review upon consideration of additional evidence which may be adduced at a public hearing to be scheduled in this proceeding, it appears, and the Commission finds, that the proposed rates and charges are reasonable and consistent with the public interest. In view of the expiration date of the current authority, the order which follows will be made effective November 4, 1964.

IT IS ORDERED that:

1. Bruno Albert Malucchi, doing business as A. M. Devincenzi Company, is hereby authorized as a city carrier to transport flour, with not to exceed six percent chemical ingredients, for Centennial Mills, Inc., Coast Dakota Flour Company, Cook Flour Company, Fisher Flour Mills, General Mills, Joe Lowe Corporation, Monarch Flour Company and Terminal Flour Mills Company from his warehouse and terminal in San Francisco to points and places within the City and County limits of San Francisco; at rates less than the established minimum rates but not less than those set forth in Appendix A attached hereto and by this reference made a part hereof.

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2. The interim authority herein granted shall, on and after November 4, 1964, supersede the authority granted by Decision No. 66228, and shall expire with March 4, 1965, unless sooner canceled, modified or extended by order of the Commission.

The effective date of this order shall be November 4, 1964.

Dated at San Francisco, California, this 21st day of November, 1964.

Fredrick B. Holcomb
President
W. E. [unclear]
Wesley W. [unclear]
George H. [unclear]
Walter W. Bennett
Commissioners

APPENDIX A TO DECISION NO. 68180

BRUNO ALBERT MALUCCHI
DBA
A.M. DEVINCENZI COMPANY

Commodity: Flour, In Sacks, With Not to Exceed Six (6) Percent
Chemical Ingredients.

Shippers: Centennial Mills, Inc., Coast Dakota Flour Company,
Cook Flour Company, Fisher Flour Mills, General Mills,
Joe Lowe Corporation, Monarch Flour Company and
Terminal Flour Mills Company.

Points: From Carrier's Warehouse and Terminal in San Francisco
to Points within San Francisco.

RATES

<u>Minimum Weight In Pounds</u>	<u>Rates In Cents Per 100 Pounds</u>
Any Quantity	(1) 112
500	71
1000	54
2000	41
5000	31
10,000	25
20,000	21

(1) Minimum charge \$3.40 per shipment.

End of Appendix A