

Decision No. 68886

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
FLOUR TRANSPORT, INC., a California)
corporation, for authority to devi-)
ate from minimum rates pursuant to)
Section 3666 of the Public Utilities)
Code for the transportation of flour)
in bulk for specified shippers.)

Application No. 47331
(Filed February 15, 1965)

OPINION AND ORDER

Flour Transport, Inc., is a highway contract carrier and city carrier engaged in the transportation of flour, in bulk, between points in the Los Angeles metropolitan area. By Decision No. 68234, dated November 17, 1964, in Application No. 46825, it was authorized to charge less than the minimum rates otherwise applicable for the transportation of flour, in bulk, for certain specified shippers from plant sites and rail sidings to bakeries located in Los Angeles and Orange Counties.

Applicant seeks to amend the authority by establishing rates of 14 and 12 cents per 100 pounds, minimum weight 30,000 and 40,000 pounds, respectively, for distances of over 30 but not over 35 constructive miles. Inclusion in the authority of Terminal Flour Mills as a specified shipper is also sought.

According to applicant, the rates it seeks to have established constitute a normal progression of the rates now authorized and were occasioned only by reason of changes in the constructive mileages between certain points it intends to serve under this authority. It has come to applicant's attention that, in the case of one shipper, the constructive mileage from a single point of

origin to two points of destination was increased from 20 miles under Distance Table No. 4 to 32 miles under Distance Table No. 5.¹ These changes in mileages, applicant asserts, preclude it from serving this shipper under the rates specified in the current authority which is limited to distances of 30 miles or less.

Applicant states that it has been requested by Terminal Flour Mills to transport flour, in bulk, between points in the Los Angeles metropolitan area on the same basis as authorized by Decision No. 68234, supra, for other shippers. It is further stated that this shipper would be placed at a serious competitive disadvantage should it continue to be excluded from the order in the aforementioned decision. Applicant asserts that the transportation circumstances of this shipper's traffic are the same as those of the other shippers involved and that the additional operations for the account of Terminal Flour Mills will be profitable.

Revenue and expense data submitted by applicant indicate that the transportation of flour in the area involved has been profitable and reasonably may be expected to be profitable in the future.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on February 12, 1965. No objection to the granting of this application has been received.

In the circumstances, it appears, and the Commission finds, that applicant's proposal is reasonable and that Decision No. 68234, supra, should be amended. A public hearing is not necessary. The application should be granted. However, due to the relationship of

¹ Distance Table No. 5 was made applicable to Minimum Rate Tariff No. 2 effective November 1, 1964. Application No. 46825 was filed with the Commission July 20, 1964.

the relief granted by Decision No. 68234, supra, for the movement of flour between points in Los Angeles and Orange Counties to that authorized to applicant for the movement of flour between points in the Los Angeles Drayage Area, the authority, as herein amended, should be made to expire April 18, 1966, concurrently with the expiration date of the other authority.

IT IS ORDERED that:

1. Decision No. 68234 dated November 17, 1964, in Application No. 46825, is hereby amended by substituting for Appendix A thereof Appendix B which is attached hereto and by this reference made a part hereof.

2. The authority granted by Decision No. 68234, as herein amended, shall expire with April 18, 1966, unless sooner changed, canceled or extended by order of the Commission.

3. In all other respects, Decision No. 68234 shall remain in full force and effect.

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

Dated at San Francisco, California, this 13th day of April, 1965.

Frank B. Hallock
President
John E. Quinn
George F. Trover
Augusta
William Lee Russell
Commissioners

APPENDIX B TO DECISION NO. 68886
 (Supersedes Appendix A to Decision No. 68234)

APPLICATION OF RATES

By: Flour Transport, Inc.

For: California Milling Corporation, Capitol Milling Company, Centennial Mills Incorporated, Colorado Milling & Elevator Co., Fisher Flouring Mills Co., General Mills Inc., Inglehart Operations, The Ismert-Hincke Milling Co., Kansas Milling Company, New Era Milling Company, The Pillsbury Company, Quaker Oats Company, Russell Miller Milling Co., Salt Lake Flouring Mills, Sheridan Flouring Mills and Terminal Flour Mills.

1. Commodity:

Grain or Rice Flour, in bulk. Grain or Rice Flour, in bulk, chemical or other ingredients not to exceed four percent. Semolina or Semolina and Grain Flour, in bulk.

2. Rates:

Lower than the Minimum Rates Otherwise Prescribed but not less than the Following Rates in Cents per 100 Pounds Subject to Provisions in Notes One to Nine
 Mileage to be Computed in Accordance with the Commission's Distance Table Applicable to Minimum Rate Tariff No. 2

<u>Miles</u>		<u>Rates</u>	
<u>Over</u>	<u>But Not Over</u>	<u>Minimum Weight 30,000 Pounds</u>	<u>Minimum Weight 40,000 Pounds</u>
0	10	11.5	9.5
10	15	12.0	10.0
15	20	12.5	10.5
20	25	13.0	11.0
25	30	13.5	11.5
30	35	14.0	12.0

Note 1 - Loading Time: An additional charge of \$3.00 shall be assessed for each 45 minute period or fraction thereof after the first 45 minutes of free time.

Note 2 - Rail Car Service: Add 1.5 cents per 100 pounds for rail car service. Add an additional .5 cents (total 2.0 cents) if Flour Transport, Inc. furnishes electrical power at designated team track.

Note 3 - Weighing Service: Add \$15.00 per car for weighing service provided in connection with unloading of rail cars.

Note 4 - Rate Computation: When charges accruing on a shipment based on actual weight exceed the charges computed on a rate based on a greater minimum, the latter shall apply.

APPENDIX B

- Note 5 - Demurrage: If delivery cannot be accomplished and the trailer is put out of service without driver in attendance, a charge of \$1.50 per hour will be assessed after the first two hours. If a driver is in attendance, a charge of \$14.00 per hour will be assessed.
- Note 6 - Returns: If flour is delivered to consignee, refused, returned to mill or car for unloading, a charge of one and one-half times normal applicable rate will be made.
- Note 7 - Sunday Delivery: Add 3.0 cents per 100 pounds when Sunday delivery is specified.
- Note 8 - Special Setup: Add 3.0 cents per 100 pounds when delivery is made to a bakery not equipped for truck delivery (220 three-phase power and reasonable access).
- Note 9 - Shipping Notice: Add 2.0 cents per 100 pounds when shipment must be made with less than twelve hours notice if driver call back is required.
- Note 10- In all other respects, the provisions of Minimum Rate Tariff No. 2 are applicable.

(End of Appendix B)