

ORIGINAL

Decision No. 69685

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Applica-)	
tion of Sierra Distributing,)	
Ltd. for the authorization to)	Application No. 47812
continue transportation of)	(Filed August 16, 1965)
Trisodium Phosphate at rate)	
below Minimum 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. 67906, dated September 22, 1964, in Application No. 46932, applicant was authorized to charge less than the minimum rates named in Minimum Rate Tariff No. 2 for the transportation of (1) trisodium phosphate in bulk from Richmond to Sacramento, and (2) return movements of used empty bins for Proctor & Gamble Company. The phosphate is transported in shipper-owned bins of not less than 60 cubic feet capacity. The current authority is scheduled to expire with October 3, 1965.

By this application, applicant seeks an extension of the current authority. It also requests that the authority be modified by increasing the currently authorized rate on the movement of trisodium phosphate from 23 cents to 25 cents per 100 pounds.

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No authority for the increase is required from this Commission inasmuch as applicant, insofar as this proceeding is concerned, performs the service as a highway permit carrier for which only minimum rates have been established. Authority to use the sought rate after October 3, 1965, is required, however, inasmuch as the proposed rate is below the minimum rate otherwise applicable.

Applicant asserts that it has hauled all the bulk trisodium phosphate for the shipper since December, 1960, under less than minimum rate authority. The volume shipments transported exceed 6,000,000 (six million) pounds per year. Loading and unloading are performed by the shipper and consignee with fork lift equipment without the physical assistance of applicant's employees. Applicant alleges that it is operating under full capacity load factors in hauling this commodity for the shipper from Richmond to Sacramento and is able to realize substantial economies in operations. It further alleges that the granting of this application will not divert such traffic from other carriers and will have no adverse effect on other modes of transportation.

Applicant states that the increased rates proposed herein will provide revenues in excess of its total cost of the service involved as indicated by a cost study submitted with the application covering this transportation. Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable based on the proposed rates for the ensuing year.

The verified application shows that a copy thereof was mailed to California Trucking Association on or about August 13, 1965. The application was listed on the Commission's Daily Calendar of August 17, 1965. No objection to the granting of this application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable. A public hearing is not necessary. We conclude that the application should be granted. Because the transportation conditions involved herein may change at any time, the authority will be granted for a period of one year to expire with October 3, 1966.

In view of the impending expiration date of the current authority, the order which follows will be made effective October 3, 1965.

IT IS ORDERED that:

1. Sierra Distributing, Ltd., is hereby authorized to transport trisodium phosphate, chlorinated or not chlorinated, in shipper-owned bins of not less than 60 cubic feet capacity, and used empty bins, returning, for Procter & Gamble Company at rates less than the established minimum rates but not less than those set forth in, and subject to the provisions specified in, Appendix A attached hereto and by this reference made a part hereof.

2. The authority herein granted shall, on and after October 3, 1965, supersede the authority granted by Decision No. 67906 and shall expire with October 3, 1966.

The effective date of this order shall be October 3, 1965.

Dated at Los Angeles, California, this 14th day of September, 1965.

Fredrick B. Halbach
President
Arthur D. Mitchell
George H. Hoover
Augustus
William L. Curran
Commissioners

SIERRA DISTRIBUTING, LTD.

ITEM COMMODITIES: Trisodium phosphate, chlorinated or not
1. chlorinated, in shipper owned bins of not less than 60 cubic feet capacity.

FROM : Richmond, California.

TO : The Procter & Gamble Company plant, Sacramento, California.

RATE : 25 cents per 100 pounds.

MINIMUM : 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 COMMODITIES: Used empty BINS, not nested, for return paying
2. load of Commodity in Item 1.

FROM : The Procter & Gamble Company plant, Sacramento, California.

TO : Richmond, California.

RATE : 50% of 4th Class rate but not less than 30 cents per 100 pounds.

MINIMUM : 2,000 pounds per shipment

ITEM LOADING AND UNLOADING CARRIER'S EQUIPMENT:
3. 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 one hour free time will be allowed for 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
4. All other provisions of Minimum Rate Tariff No. 2 are to apply.

(End of Appendix A)