

**ORIGINAL**

Decision No. 70332

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of: )  
WESTERN GILLETTE, INC., a corporation, )  
for authority to establish reduced )  
rates for the transportation of clay, ) Application No. 48106  
pyrophyllite, silt (soil), soapstone, ) (Filed December 6, 1965)  
talc and sand, including silica sand, )  
from Laws, Keeler and Olancho to the )  
Los Angeles Area, pursuant to Section )  
452 of the California Public Utilities )  
Code. )

OPINION AND ORDER

By Decision No. 68506 dated January 19, 1965, Western Gillette, Inc., a corporation, was authorized as a highway common carrier to publish rates of 31½ and 33½ cents per 100 pounds, minimum weight 40,000 pounds, for the transportation of clay, pyrophyllite, silt, soapstone, talc and sand from Laws, Keeler and Olancho to points within a defined Los Angeles area. These rates are lower than the established minimum rates for this transportation and are scheduled to expire with March 11, 1966. By this application, authority is sought to continue to maintain the currently authorized rates for an additional one-year period.

Applicant alleges that the preponderance of its traffic moves northbound to or through the Bishop area in a ratio of approximately three to one. It is averred that the current authority was sought in order to encourage the movement of the above commodities

in a southbound direction and to give recognition to the fact that the consignors load and the consignees unload such commodities with power equipment thereby minimizing applicant's handling costs. Applicant states that these conditions continue to exist.

Applicant asserts that, under the currently authorized rates, the major shipper<sup>1</sup> has increased its market activities in the Los Angeles area. As a result, the imbalance in the flow of applicant's traffic has been lessened. Should the requested authority be granted, applicant expects at least to double the volume of this traffic in the ensuing year because of the fact that additional solicitations on the part of this shipper based upon lower delivered prices required several months and the preponderance of the movement under the authorized rates transpired during the past six months.

Revenue and expense data submitted by applicant indicate the transportation involved has been profitable and reasonably may be expected to be profitable for the ensuing year.

The certificate of service shows that a copy of the application was mailed to California Trucking Association and other interested parties on December 3, 1965. The application was listed on the Commission's Daily Calendar of December 8, 1965. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the application should be granted.

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<sup>1</sup> This shipper is Huntley Industrial Minerals, Inc.

IT IS ORDERED that:

1. Western Gillette, Inc., a corporation, is hereby authorized to publish and file, to expire with March 11, 1967, rates for the transportation of clay, pyrophyllite, silt, soapstone, talc and sand as set forth in, and subject to the conditions specified in, Appendix A attached hereto and by this reference made a part hereof.

2. Tariff filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public.

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

Dated at San Francisco, California, this 8<sup>th</sup> day of February, 1966.

Frederick B. Holdhoff  
President  
George G. Grover  
William L. Brinson  
Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

Proposed Rates and Rules and Regulations  
Applicable Thereto

Application of Rates - Commodities

The rates herein set forth apply for the transportation of the following commodities when packed in bags and palletized:

Clay	Soapstone
Pyrophyllite	Talc
Silt (Soil)	Sand, including Silica Sand

Rates, in cents per 100 pounds

<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Minimum Weight in Pounds</u>
Laws	Points within the Los Angeles	# 31½	40,000
Keeler	Area as described below and	ø 33½	40,000
Olancha	points intermediate thereto.		

# Applicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded without expense to carrier by consignee with power equipment, provided that the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under conditions described in this reference. Consignee shall certify unloading in accordance with instructions.

ø Applicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded by consignee with the physical assistance of a single carrier employee (either driver or helper, subject to Note) by use of power equipment furnished by the consignee without expense to the carrier, provided the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under circumstances outlined in this reference. Consignee shall certify unloading in accordance with instructions.

Note: The physical assistance to be provided by the single carrier employee shall be restricted to work within, on, or immediately adjacent to the carrier's equipment.

Los Angeles Area: The Los Angeles Area, as so designated in connection with the rates set forth above, includes all points and places embraced by the following boundaries (includes both sides of highways named):

Beginning at the intersection of the westerly boundary of the City of Los Angeles and the Pacific Ocean, thence along the westerly and northerly boundaries of said city to its point of first intersection with the southerly boundary of the Angeles National Forest, thence along the southerly boundary of the Angeles National Forest to the point of intersection of said southerly boundary of the Angeles National Forest and the Los Angeles-San Bernardino County Line, thence in a southerly direction along said counties' boundaries and the San Bernardino-Orange County and Riverside-Orange County boundaries to the intersection of said latter counties' boundaries and U.S. Highway 91, thence generally westerly along U.S. Highway 91 to State Highway 55, thence in a generally southerly direction along State Highway 55 and its prolongation to the shore line of the Pacific Ocean, thence along the shore line of the Pacific Ocean to the point of beginning.

Shipments transported subject to the rates herein specified shall not be accorded privileges of split pickup or of split delivery.

Charges for transportation under the rates herein specified shall be assessed on gross weight of the shipment. No allowance shall be made for the weight of the bags and/or pallets.

(End of Appendix A)