

ORIGINAL

Decision No. 70800

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HARRY MCKENZIE TRUCKING CO., a cor-)
poration, for an order authorizing)
departure from the rates, rules and)
regulations of Minimum Rate Tariff)
No. 2, pursuant to the provisions)
of Section 3666 of the Public)
Utilities Code for the transporta-)
tion of brandy.)

Application No. 48433
(Filed April 26, 1966)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. ¹ By Decision No. 69215 dated June 8, 1965, in Application No. 47517, applicant was authorized to transport brandy, in barrels, for Fromm & Sichel, Inc., between Lac Jac, on the one hand, and Biola, Fowler, Monmouth and Mission Bell, on the other hand, at rates less than the established minimum rates. The current authority is scheduled to expire with June 17, 1966. By this application, authority is sought to continue the deviation from the established minimum rates for a further one-year period.

Applicant alleges that all of the beneficial transportation characteristics recited in previous applications still exist, and that its labor contract with its drivers, which is now based on the truckload agreement and is effective until July 1, 1967, has resulted in some cost decrease. Applicant declares that other costs and the conditions relating to the service involved have remained virtually unchanged except that the movement to and from Mission Bell has been reactivated.

¹ It is also authorized to operate as a highway common carrier of specified commodities between points not involved herein.

Data furnished by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable in the future.

Applicant declares that the record in prior proceedings has indicated that the shipper, Fromm & Sichel, Inc., is prepared to engage in proprietary operations, should the need arise, and has the necessary facilities to do so. Applicant asserts that continuation of the authority sought herein is essential in order that it may retain the shipper's traffic.

The certificate of service shows that copies of the application were mailed to various parties believed to be interested, including California Trucking Association. The application was listed on the Commission's Daily Calendar of April 28, 1966. 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. A public hearing is not necessary. The Commission concludes that the application should be granted.

In view of the impending expiration date of the current authority, the order which follows will be made effective June 17, 1966.

IT IS ORDERED that:

1. Harry McKenzie Trucking Co., a corporation, is hereby authorized to transport brandy, in barrels, between Lac Jac, on the one hand, and Biola, Fowler, Monmouth and Mission Bell, on the other hand, for Fromm & Sichel, Inc., at rates less than the

established minimum rates but not less than the following, subject to a minimum weight of 40,000 pounds per shipment:

<u>Between Lac Jac and</u>	<u>RATE (In Cents Per 100 Pounds)</u>
Biola	15.5
Fowler	13
Monmouth	12
Mission Bell	19

2. The authority herein granted shall, on and after June 17, 1966, supersede the authority granted by Decision No. 69215, and shall expire with June 17, 1967.

This order shall become effective June 17, 1966.

Dated at San Francisco, California, this 1st day of June, 1966.

Frederick B. Holbrook

President

George T. Trover

Wojahn

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.