

**ORIGINAL**

Decision No. 70853

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
GIACOMAZZI BROS. TRANSPORTATION CO., )	Application No. 48440
for authority to deviate from the )	(Filed April 29, 1966)
provisions of MRT No. 2 on certain )	
transportation of Waste Lime. )	

OPINION AND ORDER

Giacomazzi Bros. Transportation Co., a corporation, holds radial highway common carrier, highway contract carrier, petroleum contract carrier and city carrier permits. By Decision No. 69900 dated November 2, 1965, in Application No. 47770, applicant was authorized to charge a rate less than the established minimum rate for the transportation of waste lime for Spreckels Sugar Company from Spreckels to a point near Mendota. The authorized rate is 21½ cents per 100 pounds, minimum weight 45,000 pounds per unit of carrier's equipment, subject to certain conditions. The current authority is scheduled to expire July 1, 1966.

By this application, applicant seeks an extension of the current authority to and including March 31, 1967. Applicant also requests that the authority be modified by increasing the authorized rate from 21½ cents to 21-¾ cents per 100 pounds.<sup>1</sup>

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No authority for the proposed increase in rate is required from this Commission inasmuch as applicant performs the service as a permitted carrier for which only minimum rates have been established.

Applicant alleges that, except for an increase in driver labor cost, the transportation circumstances and conditions, which justified the granting of the current authority, continue to exist and the sought increase in the rate involved is necessary to offset the increased driver labor cost. Applicant states that the requested expiration date coincides with the termination date of its current labor contract.

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

As recited in Decision No. 69900, supra, the transportation of waste lime is an efficient operation and is performed with equipment units consisting of a tractor and two flat-rack trailers equipped with specially constructed boxes. The waste lime is loaded from a stockpile with bulk loading equipment furnished by the shipper. At destination the trailer bodies are tilted by equipment furnished by the shipper to permit the waste lime to flow by gravity into a pit.

Copies of the verified application were served upon California Trucking Association and Spreckels Sugar Company on or about April 28, 1966. The application was listed on the Commission's Daily Calendar of May 2, 1966. No objection to the granting of this application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rate is reasonable for the transportation involved. A public hearing is not necessary. The Commission concludes that the application should be granted and that the authority should be made to expire with March 31, 1967, as requested. In view of the impending expiration date of the current authority, the order which follows will be made effective July 1, 1966.

IT IS ORDERED that:

1. Giacomazzi Bros. Transportation Co., a corporation, is authorized to transport waste lime for Spreckels Sugar Company from that company's plant at Spreckels to its plant near Mendota at a rate less than the established minimum rate but not less than the rate set forth below, subject to the conditions hereinafter indicated:

- (a) The applicable rate shall be 21-3/4 cents per 100 pounds, minimum weight 45,000 pounds per unit of equipment consisting of a tractor and two flat-rack trailers equipped with specially constructed boxes.
- (b) When the total time involved in loading and unloading on any single trip exceeds two hours, the accessorial charge set forth in Item No. 145 of Minimum Rate Tariff No. 2 shall be assessed for the total time in excess of two hours.
- (c) The surcharges applicable to transportation involving the Central Coastal Territory shall not be applicable.
- (d) In all other respects, the provisions of Minimum Rate Tariff No. 2 shall be applicable.

2. The authority herein granted shall, on and after July 1, 1966, supersede the authority granted by Decision No. 69900 and shall expire with March 31, 1967.

The effective date of this order shall be July 1, 1966.

Dated at San Francisco, California, this 14<sup>th</sup> day of June, 1966.

Fredrick B. Halbach  
President

George J. Trover

Augustin

William G. Bunnell  
Commissioners