

ORIGINAL

Decision No. 71004

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
KEENEY TRUCK LINES, INC., a Cali-)
fornia corporation, for authority)
under Section 3666 of Highway)
Carriers' Act and under Section)
4015 of City Carriers' Act, to)
continue to charge other than)
minimum rates on Grain, Grain)
Products and other articles trans-)
ported for GENERAL MILLS, INC. under)
rights granted under Decision 69412)
of July 13, 1965.)

Application No. 48424
(Filed April 22, 1966)

OPINION AND ORDER

Applicant holds highway contract carrier and city carrier permits. By Decision No. 69412 dated July 13, 1965, in Application No. 47620, Keeney Truck Lines, Inc. was authorized to assess monthly vehicle unit rates and charges which are less than the minimum rates and charges otherwise applicable for the transportation of all commodities between specified points in southern California for General Mills, Inc. The current authority is scheduled to expire with July 31, 1966.

By this application, applicant seeks authority (a) to continue to charge less than the established minimum rates; (b) to increase the monthly vehicle unit rate for a tractor semi-trailer combination from \$1,460 to \$1,510 per month; (c) to increase both the straight and overtime rates for helper service from \$4.90 and \$5.75 per man hour to \$5.00 and \$6.00 per man hour, respectively; and (d) to add a rate of \$6.00 per man hour for driver hours worked in excess of the normal eight hours per day.¹

¹ No authority for the increases is required inasmuch as applicant performs this transportation as a permit carrier for which only minimum rates have been established.

Since 1938, applicant and its predecessors have been authorized to perform the transportation services involved herein at vehicle unit rates less than those otherwise applicable as minimum. The authorization has been extended annually since then, with periodic increases and revisions in the rates as necessary.

The application shows that the increased rates proposed herein have been assessed since September 1, 1965. Applicant declares that this rate authorization differs from the established minimum rates with respect to the actual amount of charges assessed, the scope of the operations involved and the billing procedures utilized. Applicant alleges that the transportation services involved are profitable and that the rate authority has been beneficial to shipper and carrier alike.

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

The certificate of service shows that a copy of the verified application was mailed to California Trucking Association on April 21, 1966. The application was listed on the Commission's Daily Calendar of April 25, 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 and charges are reasonable and consistent with the public interest. A public hearing is not necessary. The Commission concludes that the application should be granted. Since the conditions surrounding the transportation involved may change, the authority granted herein will be made to expire at the end of one year. In view of the impending expiration date of the current authority, the order which follows will be made effective July 31, 1966.

IT IS ORDERED that:

1. Keeney Truck Lines, Inc. is hereby authorized to depart from the provisions of the minimum rate orders otherwise applicable to the services which it performs for General Mills, Inc. to the extent specifically provided in Appendix A attached hereto and by this reference made a part hereof and to assess rates less than the minimum rates otherwise applicable for such services but not less than the rates specified, and subject to the conditions shown, in said Appendix A.

2. The authority granted herein shall, on and after July 31, 1966, supersede the authority granted by Decision No. 69412 and shall expire with July 31, 1967.

This order shall become effective July 31, 1966.

Dated at San Francisco, California, this 19th day of July, 1966.

President
George J. Howard

Fredrick B. Whitliff

Augustus

William M. Baird
Commissioners

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

APPENDIX A TO DECISION NO. 71004
KEENEY TRUCK LINES, INC.

ITEM NO. RULES AND REGULATIONS

APPLICATION OF RATES - CARRIERS - COMMODITIES

- 5 Rates in this Appendix are applicable only for the transportation of all commodities for General Mills, Inc.

APPLICATION OF RATES - TERRITORY

Rates in this Appendix apply only within the territory hereinafter described:

- (1) Between points within the following described territory (see Note):

10 Commencing at San Clemente on U.S. Highway No. 101, thence northerly on said U.S. Highway No. 101 to San Juan Capistrano, thence northeasterly via State Highway No. 74 to the point said Highway No. 74 intersects State Highway No. 71 at a point two miles northwest of Elsinore, thence northwesterly along said Highway No. 71 to Corona, thence northeasterly along State Highway No. 18 to Colton, thence easterly along U.S. Highway No. 99 to the point said Highway No. 99 intersects U.S. Highway No. 395 at a point two miles south of San Bernardino, thence northerly along said Highway No. 395 to the point of intersection with a county road 1 mile east of Muscoy, thence via an airline drawn from said point of intersection through Alta Loma, Glendora, Monrovia and Altadena to La Canada, thence northwesterly along State Highway No. 118 to San Fernando, thence westerly along said Highway No. 118 to Chatsworth, thence southerly along State Highway No. 27 to the point where said highway, if extended, would meet the Pacific Ocean at a point approximately 5 miles northwest of Santa Monica, thence southerly along the shore line of the Pacific Ocean to point of beginning.

(NOTE. - Where the boundary line intersects the limits of an incorporated city, the boundary line shall follow the city limits so as to include the city within the above defined territory.)

- (2) Between points within the territory described in Paragraph(1) and points in the following counties:

Los Angeles, Orange, San Diego, Imperial, Riverside, San Bernardino, Ventura, Santa Barbara, San Luis Obispo, Kern, Inyo.

- (3) From Hemet, El Cajon, Atascadero and Victorville to points located in the counties named in Paragraph (2).

ITEM NO.

RULES AND REGULATIONS (Concluded)

BASIS FOR COMPUTING RATES

Charges on shipments transported under the provisions of this Appendix shall be computed in accordance with the following:

(1) <u>Type of Unit</u>	<u>Vehicle Unit Charge per Calendar Month</u>	<u>Excess Mileage Charge</u>
15 Two Axle Van Truck	\$ 1,165	21¢ *
Tractor Semi-Trailer Combination	\$ 1,510	36¢ *
Three Axle Van Truck	\$ 1,260	36¢ *

* Rates in cents per mile to be applied to the mileage, if any, by which the aggregate monthly mileage that all vehicle units subject to the same vehicle unit charge exceeds 1,250 miles multiplied by the number of said vehicle units.

- (2) Rates for helper service provided by applicant at request of General Mills, Inc.:
- a. \$5.00 per man hour for straight time hours.
 - b. \$6.00 per man hour for overtime hours.
- (3) Rate for driver hours worked in excess of base 8 hours per day:
- \$6.00 per man hour.

(END OF APPENDIX A)