

Decision No.

71615**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 MUELLER TRUCK CO., a corporation,
 for authority to depart from the
 rates, rules and regulations of
 Minimum Rate Tariff No. 2 and
 Minimum Rate Tariff No. 5, under
 the provisions of the Highway
 Carriers' Act and of the City
 Carriers' Act.

Application No. 48550
 (Filed June 13, 1966,
 Amendment filed August 11, 1966)

Frank Loughran for Mueller Truck Co., applicant.
J. C. Kaspar, H. F. Kollmyer and Arlo D. Poe,
 for California Trucking Association, interested
 party.
George H. Morrison and Joseph C. Matson, for the
 Commission's staff.

O P I N I O N

By this application, as amended, Mueller Truck Co., a corporation, seeks authority as a highway contract carrier and as a city carrier to charge less than the minimum rates named in Minimum Rate Tariffs Nos. 2 (statewide) and 5 (Los Angeles drayage) for the transportation of sodium hypochlorite solution from the plant of the Clorox Company at Los Angeles to points in southern California. The rates sought by applicant are approximately 80 percent of the otherwise applicable minimum rates named in Minimum Rate Tariffs Nos. 2 and 5.

Decision No. 71075 dated August 2, 1966, and Decision No. 71241 dated September 6, 1966, granted the sought authority on a temporary basis pending a public hearing. Such authority expires December 12, 1966.

Public hearing on the application was held October 3, 1966 at San Francisco before Examiner Turpen. Applicant's president and an accountant testified. Representatives of the California Trucking Association and of the Commission's staff assisted in developing the record.

Decision No. 71075 describes the operations involved and the information relied on by applicant in support of the sought authority. The evidence adduced at the public hearing confirms such data. The representative of the California Trucking Association suggested several changes in wording in the authority for clarity, and he suggested that the authority expire July 1, 1967, instead of after one year because of the expiration of labor contracts. Applicant is agreeable to these changes.

The record shows, and the Commission finds, that the rates proposed herein are reasonable and consistent with the public interest. We conclude that the application should be granted. As conditions may change, the authority will be made to expire July 1, 1967.

O R D E R

IT IS ORDERED that:

1. Mueller Truck Co., a corporation, is authorized to transport sodium (soda) hypochlorite solution for The Clorox Company, from the Clorox plant located at 4333 Bandini Boulevard, Vernon, to customers of Clorox in southern California located at points within 160 miles of said plant at rates less than those named in Minimum Rate Tariffs Nos. 2 and 5, but not less than those named in Appendix A, attached hereto and by this reference made a part hereof.

2. The authority granted herein shall supersede that granted in Decision No. 71075 as amended by Decision No. 71241.

3. The authority granted herein shall expire July 1, 1967, unless sooner canceled, changed, or extended by order of the Commission.

This order shall become effective December 12, 1966.

Dated at San Francisco, California, this 29th day of NOVEMBER, 1966.

President

George L. Trover

Fredrick B. Holdoff

William L. Bennett

Auguston Commissioners

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

APPENDIX A
Page 1 of 2Carrier: Mueller Truck Co.Shipper: Clorox CompanyCommodity: Sodium (soda) hypochlorite solutionRates: (In cents per 100 pounds):

- A. For transportation otherwise subject to Minimum Rate
Tariff No. 5 (see Note 1).

<u>Rate Basis</u>	<u>Minimum Weight</u>	<u>Rate</u>
"A"	20,000 lbs.	16
"B"	20,000 lbs.	17
"C"	20,000 lbs.	20

NOTE 1:

Rate basis will be computed as provided in Minimum Rate Tariff No. 5. Rates are subject to Item 130 (Split Delivery) of Minimum Rate Tariff No. 5.

All shipments to be power loaded and power unloaded by shipper and consignee; necessary equipment to be furnished and used without expense to the carrier.

Pallets will be returned free, provided such return complies with the provisions of Item 88 of Minimum Rate Tariff No. 5.

Carrier to be free from any claims for shortage. Upon return of damaged merchandise, carrier is to be free from any claim for damage.

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B. For transportation otherwise subject to Minimum Rate Tariff No. 2 (see Note 2).

<u>Mileage</u>	<u>Minimum Weight</u> <u>30,000 lbs.</u>	<u>Minimum Weight</u> <u>40,000 lbs.</u>	<u>Minimum Weight</u> <u>45,000 lbs.</u>
	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>
0-3	14	12	12
3-5	15	13	12
5-10	16	14	13
10-15	17	14	14
15-20	18	15	14
20-25	18	16	14
25-30	19	16	15
30-35	20	17	15
35-40	21	18	16
40-45	22	18	17
45-50	23	19	18
50-60	25	20	18
60-70	26	21	19
70-80	26	22	20
80-90	27	23	21
90-100	28	24	22
100-110	30	25	22
110-120	30	26	23
120-130	32	26	24
130-140	33	27	25
140-150	34	28	26
150-160	35	29	26

NOTE 2: Mileage to be computed as provided in governing Distance Table. Rates are subject to the provisions of Item 170 (Split Delivery) of Minimum Rate Tariff No. 2.

All shipments to be power loaded and power unloaded by the shipper and consignee; necessary equipment to be furnished and used without expense to the carrier. If loading or unloading time exceeds one hour, charges named in Item No. 145 of Minimum Rate Tariff No. 2 will apply.

Pallets will be returned free, provided that a like number of pallets are returned at the time of delivery. Shipments of pallets not complying with this paragraph will be subject to the rates in the applicable tariff.

Carrier to be free from any claims for shortage. Upon return of damaged merchandise, carrier is to be free from any claim for damage.

Rates to apply to shipments originating at the plant of The Clorox Company located at 4333 Bandini Boulevard, Vernon, California, and destined to points within 160 miles thereof, as indicated in the above mileage bracket column.

(End of Appendix A)